

BRIGHTON & HOVE CITY COUNCIL
LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

3.00PM 1 MARCH 2018

HOVE TOWN HALL, COUNCIL CHAMBER - HOVE TOWN HALL

MINUTES

Present: Councillors O'Quinn (Chair), Morris (Deputy Chair), Hyde (Opposition Spokesperson), Deane (Group Spokesperson), Bell, Cattell, Cobb, Hill, Horan, Lewry, Page, Phillips, Simson and Wares

Apologies: Councillors Gilbey

PART ONE

21 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

21.1 There were none. However, it was noted that Councillor Gilbey had given her apologies for the meeting.

(b) Declarations of Interest

21.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

21.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

21.4 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the items contained in part two of the agenda.

22 MINUTES OF THE PREVIOUS MEETING

22.1 **RESOLVED** – That the minutes of the Licensing Committee (Non-Licensing Act 2003 Functions) Meeting held on 23 November 2017 be agreed and signed as a correct record.

23 CHAIR'S COMMUNICATIONS

- 22.1 The Chair, Councillor O'Quinn, stated that she wished to place on record her congratulations and those of the Committee to Jo Player on her recent appointment as Head of Communities.

Taxi Forum Update/Electric Vehicles

- 22.2 On the 20th December an extraordinary Taxi Forum meeting had been held to discuss the electrification of taxis. This had ended up being a very positive meeting and a way forward had been found as you could be seen from the papers before Committee that day. It had been decided that Euro 4 would be the standard for petrol taxis and Euro 6 for diesels in the foreseeable future. It was observed that the country had a long way to go before there were enough Electrical Charging points, of a suitable standard, were available. As there were only 3% of hackney carriages which were Hybrids at present it is felt that we should aim to increase the number of these in the interim before we could move to largescale electric taxis. There would be more information available at the November Licensing Committee meeting on the subject of Electric Charging points as the government would be reporting on the situation. It had been decided at the Taxi Forum that there would be regular up-dates on this issue to the Licensing Committee.

WAV's – Unmet Demand Survey

- 22.3 The Survey for unmet demand would be starting shortly and would look at numbers of WAVS as we now had approximately 45% WAVS in Hackney cab fleet. Some disabled people found the WAVS very difficult to access so we needed to look at the evidence for whether or not we continue our policy on WAVs.

Uber Application

- 22.4 The Chair explained that The Uber Licence Renewal Public Hearing would take place on the 23rd March in the Council Chamber at Hove Town Hall. Officers, lead councillors and herself had worked hard to make this as democratic and fair a hearing as possible. It was an unprecedented hearing for BHCC as normally all taxi renewals were decided by officers. A similar format was being used to that which was used for the Public Hearing in 2015 which granted Uber a Licence.
- 22.5 Councillor Wares referred to the fact that concerns could be expressed if it was perceived that Uber did not operate WAV's to the same requirements as other operators as it should be attendant on them to operate in the same way and to be measured against the same benchmarks. The Chair stated that was the case, Members were adamant that the high standards applied via the Blue Book in Brighton and Hove was maintained. Representatives of the trade would undoubtedly be represented at the meeting on 23 and questions would undoubtedly be asked of and information sought from Uber themselves.
- 22.6 **RESOLVED** – That the content of the Chair's Communications be received and noted.

24 CALLOVER

- 24.1 All items appearing on the agenda were called for discussion.

25 PUBLIC INVOLVEMENT**25a Petitions**

25.1 There were none.

25b Written Questions

25.2 There were none.

25c Deputations

25.3 There were none, save for to the comments referred to under Chair's Communications above.

26 MEMBER INVOLVEMENT**26a Petitions**

26.1 There were none.

26b Written Questions

26.2 There were none.

26c Letters

26.1 There were none.

27 HACKNEY CARRIAGE & PRIVATE HIRE EMISSIONS AND AGE POLICY

27.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities and Housing which had been prepared in response to a deputation put forward by Councillor Dean at the meeting of the Committee held in June 2017 regarding accelerating air quality initiatives, in particular, to tackle the damaging effects of diesel engine emissions. At that time members had requested a report responding to the issues raised and providing a further update in respect of this issue.

27.2 It was noted that the Council had an Air Quality Action Plan in place which detailed a number of initiatives for improving air quality, currently it did not have a taxi licensing emissions policy. However, officers were looking at different initiatives including electric taxis, and some of the taxi fleet (to date 21 minibuses or saloons) had had exhaust adaptations to reduce oxides of nitrogen emissions. This had been facilitated using the Department of transport Clean Vehicle Transport Fund. There was also an age policy for new and replacement vehicles as set out paragraphs 3.4 and 3.5 of the circulated report. To date the take up of fully electric vehicles had been disappointing with only 1 fully electric vehicle currently licenced. The proprietor of the vehicle reported that he and his passengers are very satisfied with the vehicle. There was no exhaust maintenance on the vehicle and brake wear was reduced substantially. However, he had found that

there was a lack of available working charging points and some points had been abused by users parking rather than charging vehicles.

- 27.3 In seeking to move this issue forward officers continued to work closely with the Council Air Quality Officer, transport and the trade to encourage the use of ultralow emission technology including hybrid and electric vehicles and to provide the necessary infrastructure such as charging points. Hybrid could be plug in hybrid or electric-engine synergy. For Brighton & Hove City Council's the Air Quality Management Area (last updated in 2013) the council's priority was a reduction in NOx emissions especially from the highest mileage most frequent vehicles and the avoidance of engine idling adjacent to residential dwellings and from 2018/19 a City Centre Clean Air Zone could include taxis and help attract public and private sector funding to assist with procurement of ultralow emission fleets and electric infrastructure. As part of the consultation process with the trade several submissions had been received from them and could be found at appendix 1 to the report.
- 27.4 Councillor O'Quinn, the Chair, welcomed the work which was being carried out in this respect stating that she was aware that discussions were underway with a view to providing more charging points in central locations across the city. Overall, the issue was bigger than taxi emissions but any steps which could be taken which would improve the problem cumulatively were positive.
- 27.5 Councillor Page concurred in that view stating that he was concerned that a number of vehicles operating across the city were diesel powered and resulted in far greater levels of noxious emissions than traditional petrol driven vehicles, anything which could be done to encourage more environmentally friendly vehicles should be encouraged and welcomed. Councillor Deane concurred in that view also referring to the need to address instances of vehicles idling (there were certain "hot spots" across the city where this had been identified as a particular problem), as this exacerbated existing problems.
- 27.6 Councillor Cattell also welcomed the report and the discussions which were underway to provide more docking/charging points around the city, anything which could be done to accelerate that process would be a positive thing for the city.
- 27.7 Councillor Hyde enquired regarding take-up during the previous year and whether the number of electric powered vehicles in operation across the city was increasing. The Hackney Carriage Officer, Martin Seymour, confirmed that discussions which had taken place with the trade indicated that there was a willingness to move forward on this issue but that they were aware that currently potential costs could be high and that the matter was cost sensitive. The ability to lease/rent such vehicles at reasonable cost was something to which the trade and individual drivers appeared not to be resistant.
- 27.8 Councillor Wares agreed that the issue was of a broader spectrum than simply encompassing the taxi trade on whom an unequal balance should not be placed. If the cost of purchasing/renting such vehicles as more became available on stream reduced significantly there would be greater take-up of such vehicles by the trade and the public.
- 27.9 Councillor Morris, whilst noting the progress which had been made and welcoming concurred that it was a far bigger issue than vehicle emissions, the emissions created by wood-burning stoves for example was greater, he understood that legislation to

address this problem was in the pipe-line, anticipated to come into force during the next year.

27.10 **RESOLVED** - That Committee agree the age limits for hackney carriage and private hire vehicles should be amended as follows from the 1st April 2018:-

- a) In the case of a first application for a hackney carriage or private hire vehicle licence, petrol vehicles must meet the Euro 4 Emission Standard and not normally exceed 10 years of age from date of initial DVLA registration and not more than 10 years of age in the case of any subsequent application for renewal of licence. Diesel vehicles must meet the Euro 6 Emission Standard and not normally exceed 10 years of age from date of initial DVLA registration and not more than 10 years of age in the case of any subsequent application for renewal of licence and not to be left-hand drive.

28 HACKNEY CARRIAGE & PRIVATE HIRE DRIVER ENFORCEMENT & MONITORING

- 28.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities and Housing which provided an update for Members on enforcement action taken against Hackney Carriage & Private Hire Drivers and Applicants between November 2017 and February 2018.
- 28.2 Councillor Simson referred to details appertaining to a sexual offence which had been recorded which on the face of it appeared to very serious, notwithstanding that the driver's licence did not appear to have been revoked, which gave cause for concern. Councillor Simson enquired whether there were any further details available in respect of this matter. The Hackney Carriage Officer, Martin Seymour stated that depending on the nature of the offence suspension or revocation was not automatic but was effected in instances which were of sufficient severity. The report was put together based on the submissions provided and although thorough investigations always took place in determining the action to be taken officers recorded information differently, he would seek to address the level of information provided going forward although it was likely that some differences would remain.
- 28.3 Councillor Morris referred to the fact that he was aware complaints continued to be received regarding over-ranking in Surrey Street. It was very important that such infringements were addressed and that the requirements of the "Blue Book" were upheld, Councillor Hyde concurred in that view.
- 28.4 Councillor Deane referred to instances of idling which also needed to be addressed. The Hackney Carriage Officer explained that processes were in place to monitor and address these issues and that he would seek to provide more detailed information as far as practicable in future reports.
- 28.5 **RESOLVED** - That the contents of the report are noted and that officers continue to take action as appropriate.

29 ITEMS REFERRED FOR COUNCIL

- 29.1 There were none.

The meeting concluded at 4.00pm

Signed

Chairman

Dated this

day of