

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)	Agenda Item 2 Brighton & Hove City Council
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BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

3.00PM 4 MARCH 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Cobb (Chairman), Lepper (Deputy Chairman), Alford, Duncan, Harmer-Strange, Hawkes, Hyde, Kitcat, Marsh, Older, Phillips, Pidgeon, C Theobald, Watkins and West

Apologies: Councillors Simson and Wrighton

PART ONE

18. PROCEDURAL BUSINESS

18a Declarations of Substitutes

18.1 Councillor Duncan declared he was substituting for Councillor Wrighton.

18.2 Councillor Alford declared he was substituting for Councillor Simson.

18b Declarations of Interests

18.3 There were none.

18c Exclusion of the Press and Public

18.4 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Licensing Committee (Non Licensing Act 2003 Functions) considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100(1) of the Act).

18.5 **RESOLVED** – That the press and public be not excluded.

19. MINUTES OF THE PREVIOUS MEETING

- 19.1 **RESOLVED** – That the minutes of the previous meeting held on 26 November 2009 be signed by the Chairman as a correct record.

20. CHAIRMAN'S COMMUNICATIONS

- 20.1 The Chairman addressed the Committee and stated that the Committee had previously made it clear that the Council welcomes its duty to promote equality through all its activities and functions, in particular disability equality.

As a result of recent research commissioned by the Council (the Halcrow Report) and representations made by stakeholders, an Equalities Review of the taxi service would take place. The purpose of this was to review the effectiveness of the taxi services in the city in meeting the needs of citizens and to produce an action plan to address any identified shortcomings.

The Chairman highlighted that the focus of this review would be 'equality.' She stated there was no intention of re-visiting or duplicating research undertaken to establish Significant Unmet Demand. The Committee's concern was to ensure that the service provided does not discriminate or disadvantage any particular group.

The Chairman added that she was confident that with the involvement of disabled people, operators, unions, drivers and representatives from minority groups within the trade, this Review would lead to improvements on what is already regarded as an important community service. The report and recommendations would be available by June 2010.

With regard to revocations and suspensions, since the last Committee Officers had suspended one driver for refusal to carry.

- 20.2 Councillor West noted that at the last Committee meeting, a similar recommendation had been proposed with a request for review, which was rejected. He asked why this review had come forward now and in this manner. The Chairman replied that there was a considerable amount of information to consider, and the review was wide ranging, taking in several different aspects. It was considered that the most appropriate timescale for Officers would be to aim for the June 2010 meeting.
- 20.3 Councillor Kitcat asked who had called for the report, as it had not been a recommendation of the Committee. The Chairman replied that Licensing Officers had proposed this course of action following concerns raised at the previous Committee.
- 20.4 Councillor Watkins noted that there need to be Member involvement in the review to ensure to was conducted properly and did not leave Officers open to criticism.
- 20.5 Councillor Mrs Theobald added that relevant stakeholders needed to be included in any consultations as well.

20.6 Councillor Older asked if the review was being conducted by Equalities Officers and Mr Nichols replied that the review would be led by the Head of Equalities and Inclusion, and that he was happy to offer advice or help in this regard. He added that the review would include all elements of the trade, relevant stakeholders and Members.

21. PUBLIC QUESTIONS

21.1 Ms Des Moulins asked the following question at the Committee meeting as follows:

At the last Licensing meeting the Chair of the Committee acknowledged that taxi drivers in Brighton and Hove discriminated against disabled people and the Committee's commissioned Halcrow report also clearly evidenced that disabled people do not receive an equitable service.

We welcome the announced Taxi review and ask that any recommendations that are consequently forthcoming to improve services to disabled people will be supported by all members.

Will the Chairman give reassurances that the Committee will do everything in its power to ensure that disabled residents enjoy the same level of service as non disabled people?

21.2 The Chairman responded to the question as follows:

We can reassure Ms DesMoulins, and the members of the Federation of Disabled People, that the Council will do everything in its power to ensure that disabled people receive a non-discriminatory taxi and private hire service.

As you may know, the Hackney Carriage Office successfully prosecuted a driver recently who had refused to take a visually impaired customer because he was accompanied by a guide dog.

We acknowledge that sometimes operators and drivers may *unwittingly* discriminate against disabled people, and there may be a poor understanding of the type of barriers that disabled travellers encounter.

Whilst enforcement activity will continue, ideally this Committee would prefer to work with the trade to *prevent* discrimination rather than merely respond. We are grateful to the Federation, therefore, for taking part in the Review, for helping to clarify the issues and identify barriers for disabled people, and assisting with the problem solving process.

We are keen that all parties contribute to the Review and we would not want to commit to recommendations - not yet proposed - especially as there are important groups within the trade who have not yet been consulted.

21.3 Ms Des Moulins asked a supplementary question as follows:

We welcome the imminent review and we request that the Committee gives its full support to this. We also raise concern about the decision making processes within the Council.

21.4 The Chairman responded to the supplementary question as follows:

We will look at each issue thoroughly and a vote will be taken at Committee according to Council procedures.

22. TAXI MARSHALS

- 22.1 The Committee considered a report from the Director of Environment regarding Taxi Marshals.
- 22.2 The Licensing Manager summarised the report and stated that the scheme had been given approval by the Taxi Forum following a very successful pilot programme over the New Year period. Funding had been received from the Home Office and the scheme was being carried out as part of Operation Marble. All stakeholders were so far very pleased with the outcome and the costs of £12,000 had been agreed to be split between hackney carriage vehicle licence holders which would put an additional cost of £23 per year per hackney carriage licence holder.
- 22.3 Councillor West complemented the scheme and noted the significant cost efficiency gains achieved. He noted that the police were complementary about the scheme and was pleased to see the Licence Fee had not been increased. He urged Committee Members to approve the recommendations.
- 22.4 Councillor Hawkes echoed these sentiments and felt that the scheme alleviated safety worries for young people out at night.
- 22.5 Councillor Harmer-Strange asked if there was any information on statistics for crime associated with taxi queues. The Head of Environmental Health and Licensing, Mr Nichols, replied that there were no accurate figures relating to this. He noted that it was often difficult to establish the cause of crime in the vicinity of a taxi queue, however noted that public place crime had reduced over the past 10 years in the city centre. He believed that a range of measures including a robust enforcement regime, Operation Marble and other such schemes improved the quality of life for residents and reduced the fear of crime.
- 22.6 Councillor Mrs Theobald asked how many Taxi Marshals had been employed and where were they stationed. Mr Nichols replied that four Marshals were available at any one time concentrated on three ranks in the city centre. The Inspector in charge of Operation Marble on any given night was responsible for deploying the Marshals appropriately.
- 22.7 **RESOLVED** -1. That the committee approves a hackney carriage vehicle fee of £203 including a £23 supplement to fund taxi marshalling.
2. That the Director of Environment is authorised to arrange necessary publication notices.

23. BLUE BOOK REVIEW

- 23.1 The Committee considered a report from the Director of Environment regarding the Blue Book review.

- 23.2 The Licensing Manager summarised the report and stated that the Blue Book was designed to combine many by-laws , conditions, advice and information for hackney carriage and private hire drivers. A review was carried out every three years and this report formed the first part of the review for 2010.
- 23.3 Councillor Pidgeon asked if Members of the Committee could be sent the most up-to-date copy of the Blue Book and the Licensing Manager agreed.
- 23.4 **RESOLVED** -That the Committee approve items 1-3 (appendix a) pending full review of the handbook - 2nd edition.

24. ITEMS TO GO FORWARD TO COUNCIL

- 24.1 There were none.

The meeting concluded at 3.45pm

Signed

Chairman

Dated this

day of

