

# **GENERAL PURPOSES LICENSING COMMITTEE**

**Monday 15<sup>th</sup> June 2009**

**COUNCILLORS PRESENT:** The Chair (Councillor Sareva), Councillors Cook (Vice Chair), Brundin, Darke, Goddard, Humberstone, Keen, Rundle and Williams.

**OFFICERS PRESENT:** Lois Stock and Daniel Smith (Legal and Democratic Services), Jill Cramer (Taxi Licensing) and Tony Payne (Environmental Development)

## **7. APOLOGIES FOR ABSENCE**

Received from Councillor Lygo.

## **8. DECLARATIONS OF INTEREST**

None made.

## **9. MINUTES**

Resolved to confirm as a correct record the minutes of the meetings held on 3<sup>rd</sup> February and 15<sup>th</sup> May 2009.

## **10. PROPOSED CHANGES TO THE STREET TRADING LOCATIONS AT BONN SQUARE AND CASTLE STREET**

The Head of Environmental Development submitted a report (previously circulated, now appended). Tony Payne (Environmental Development) introduced this report to the Committee. He explained that the recommendations had been slightly amended since the original report was written to accommodate a change of site for the Crepe Van in Queen Street. The Chair had also asked that the whole street trading scheme be reviewed, to include formulation of criteria for allocating pitches and consideration of the suitability of differing traders for a particular pitch.

Tony Payne confirmed that the Crepe Van had moved to the pavement facing the Baptist Church at Bonn Square, but it was intended to move it to the wider stretch of the pavement in Queen Street following the changes proposed by Oxfordshire County Council's "Transform Oxford" scheme. Councillor Goddard felt that it should be removed from its current location and situated elsewhere. Councillor Cook suggested that it might be sited near the paper and card stall, if that stall (which had expanded) could be limited to its original size, or to the weekly let site.

In answer to a question, Daniel Smith (Legal Services) confirmed that Central South and West Area Committee could be consulted on any changes to the street trading locations at Bonn Square and Castle Street, but the final decision must be made by the General Purposes Licensing Committee.

Resolved to:-

- (1) Agree to consult with Oxfordshire County Council, Thames Valley Police, and Central South and West Area Committee and other interested parties on the following proposed changes to the street trading sites;-
  - (a) Confirm the use of the weekly let pavement location, marked as No 1 on appendix 2, as a permanent location for weekly let traders;
  - (b) Move the temporary pavement location for daytime trading, currently on the south side of Bonn Square to Queen street;
  - (c) Move the temporary night time trading location for a hot food vehicle currently on the pavement outside Goldsmith's jewellers' shop to a new location outside number 30 Queen Street, marked as No 3 on Appendix 2;
  - (d) Move the night time trading location for a hot food vehicle in the Castle Street lay-by to a new location close to the Central Conservative Club in new Road, marked as No 4 on Appendix 2;
  - (e) Retain the two daytime trading locations on the south side of Bonn Square, currently used for flowers and coffee and marked as such on Appendix 2;
  - (f) Investigate the removal of the Crepe Van to the south side of Bonn Square (not outside Goldsmith's jewellers) from its present position on the pavement outside the Baptist Church until such time as it can be moved to Queen Street;
- (2) To review and consult on the street trading scheme to include the following:
  - (a) Criteria for deciding the allocation of consents for vacant sites;
  - (b) Relocation of sites as a result of Bonn Square redevelopment and the Transform Oxford scheme;
  - (c) Quality and appearance of stalls;
  - (d) Fees charged and the fairness of the fee structure taking into account that some sites are more favourable than others;
  - (e) Procedure for determining applications where there is competition for the allocation of vacant sites;

(f) Consultation as part of the review.

**11. TAXI AND PRIVATE HIRE VEHICLE LICENSING SERVICE PLAN AND ENFORCEMENT PLAN**

The Head of Environmental Development submitted a report (previously circulated, now appended) Tony Payne introduced the report to the Committee. In answer to a question, Jill Cramer (Taxi Licensing Officer, Environmental Development) confirmed that emissions checks could be carried out if the Police were available, as special equipment was needed for these.

Resolved to approve the Licensing and Private Hire Service Plan and the Enforcement Activity Plan as set out in the report.

**12. TAXI AND PRIVATE HIRE VEHICLE LICENCE BEST PRACTICE GUIDANCE – DEPARTMENT OF TRANSPORT CONSULTATION.**

The Head of Environmental Development submitted a report (previously circulated, now appended.) Tony Payne introduced the report to the Committee.

Councillor Williams expressed concern at the number of guidance manuals that taxi and private hire drivers needed to carry. Jill Cramer explained that new drivers were given a booklet in which everything was summarised and the taxi licensing office sought to keep all drivers up to date with the latest information and guidance.

Resolved to:-

(1) Note the report;

(2) Invite any additional observations from members of the Committee to be sent to Tony Payne;

(3) Agree that the Head of Environmental Development be asked to draft a response in consultation with the Chair of the General Purposes Licensing Committee

**13. INTRODUCTION OF VEHICLE EXHAUST EMISSION STANDARDS FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES**

The Head of Environmental Development submitted a report (previously circulated, now appended). Jill Cramer introduced this report to the Committee.

Alan Woodward (City of Oxford Licensed Taxicab Association – COLTA) addressed the Committee. He did not feel that imposing age limits for vehicles was an appropriate way forwards, as some older vehicles were more efficient and

reliable than newer ones. He felt that retro fitting of an emissions system would be acceptable for Hackney Carriages.

Councillor Rundle asked if something similar was planned for the Council's own vehicles. He believed that the Committee needed to know what impact any change might have on the supply of Hackney Carriages and Private Hire Vehicles (PHV) in Oxford. He asked for it to be noted that he was concerned about the level of information in the report, and that much clearer, fuller information was needed before any decision was taken.

Councillor Cook suggested that the issue of Hackney Carriages and PHVs. should be decided separately. He felt that retro fitting of an emissions system would be acceptable for the former but not the latter.

The Committee concluded that Hackney Carriages, which are essentially commercial vehicles, were built to last and that some older models had a better CO2 emission system than newer vehicles. They were also suitable for retro fitting of an emissions system. Compared to this, there was a much wider choice of vehicles suitable for use as PHVs. There was more difficulty with retro fitting an emissions system on such cars, therefore the new criteria should be applied to such vehicles.

Resolved that the standards for vehicle exhaust emissions systems for Hackney carriages and Private Hire Vehicles should be revised in line with the officer's report as follows:-

- (1) All Hackney Carriages re-licensed after 1<sup>st</sup> September 2010 shall be Euro 3 compliant and all Hackney Carriages re-licensed after 1<sup>st</sup> January 2013 shall be Euro 4 compliant;
- (2) Hackney Carriages may be fitted with a suitable emissions system in order to bring their emissions in line with the relevant European standard. The system must be supplied by a company chosen from an up to date list from the Public carriage Office. A copy of the certificate issued by the approved supplier shall be kept on file by the Taxi Licensing Office. If at any time the Council had any concerns about the effectiveness of an emissions system fitted to a licensed vehicle, that licence may be suspended or revoked by an authorised officer;
- (3) From January 1<sup>st</sup> 2010, all vehicles first licensed as Private Hire Vehicles (PHVs) shall be registered after 1<sup>st</sup> October 2006 (Euro 4 compliant), and from 1<sup>st</sup> October 2012, all vehicles first licensed shall be registered after the 1<sup>st</sup> October 2009 (Euro 5 compliant);
- (4) All Private Hire Vehicles re-licensed after 1<sup>st</sup> September 2010 shall be Euro 3 compliant and all vehicles re-licensed after 1<sup>st</sup> January 2013 shall be Euro 4 compliant;

**14. HOUSES OF MULTIPLE OCCUPATION (HMO) LICENSING VARIATION FEES AND PROPOSED CHANGES TO THE SCHEME.**

The Head of Environmental Development submitted a report (previously circulated, now appended). Tony Payne introduced this report to the Committee.

In answer to a question, Tony Payne confirmed that the fee of £100 for a variation to a HMO licence at the request of the licensee had been suggested by the HMO Licensing Officer as a suitable amount to cover the work needed to make such a change. The fee for a 5 year licence was £1,000. Several members of the Committee suggested that an article should be placed in a Council publication ("Your Oxford" or similar) explaining the HMO licensing scheme and encouraging people to report any unlicensed HMOs to the Council.

Resolved that:-

- (1) A fee of £100 be charged where the HMO licence is varied at the licence holder's request, and that this change be implemented from 1<sup>st</sup> July 2009;
- (2) Where the Council identified a property that should have been licensed since April 2006, the licence shall not be issued for the full 5 years, but for the balance of the 5 year period beginning on 6<sup>th</sup> April 2007;
- (3) In connection with the matter outlined at (2) above, if the owner could provide suitable evidence of recent purchase, material change of use or change of occupancy, or volunteers this information to the Council about the property, then the full 5 year licence shall continue to be granted.

**15. DATE OF NEXT MEETING**

Resolved to note the date of the next meeting: 12<sup>th</sup> October 2009

The meeting started at 5.30pm and ended at 6.40pm. One member of the public was present.