

Minutes of a meeting of the GENERAL PURPOSES LICENSING COMMITTEE on Tuesday 14 May 2019

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Committee members:

Councillor Clarkson (Chair)

Councillor Cook (Vice-Chair)

Councillor Corais

Councillor Gotch

Councillor Lygo

Councillor Wade

Officers:

Daniel Smith, Lawyer

Alison Daly, Lawyer

Lesley Rennie, Business Regulation Team Manager

Samantha Broome, Licensing Officer

Richard Masters, Licensing Compliance Officer

Joshua Curnow, Senior Licensing Officer

John Mitchell, Committee and Member Services Officer

Apologies:

Councillor Taylor sent apologies.

1. Election of Chair for the Council Year 2019-20

The Committee Services Officer opened the meeting.

The Committee elected Councillor Clarkson to be the Chair for the Council Year 2019/20.

2. Election of Vice-Chair for the Council Year 2019-20

The Committee elected Councillor Cook to be the Vice Chair for the Council Year 2019/20

3. Declarations of Interest

None.

4. Appointment of Sub-Committees

The Head of Law and Governance had submitted a report to establish 4 sub-committees for the 2019-20 Council Year to deal with the casework flowing from the Committee's own responsibilities.

The Committee Officer explained that the proposed composition of sub-committees as given in the report had presupposed the same political make up of the Committee as in 2018/9 (ie **8 Labour** and **2 Liberal Democrat**)

The position was, however, now slightly different (ie **7 Labour, 2 Liberal Democrat** and **1 Green**). The Local Government Housing Act 1989 required this sub-committee to be politically balanced. The current political balance of the Committee required that all 3 member sub-committees must consist of two Labour places and one Liberal Democrat place.

As the Green party only had one seat on the Committee it was not automatically entitled to a seat on a 3 member sub-committee. However it would be possible for the Green member to have a seat on a sub-committee if the Committee was minded to pass a unanimous resolution to that effect.

After brief discussion a proposal to make such a resolution was put but in the absence of unanimous support it was not agreed.

The Committee resolved to:

1. **Agree** that the casework hearings for taxi, private hire or other driver or vehicle licences, street trading licences and sex establishment licences should be determined by sub-committees as set out in the Powers and Duties of GPL Sub-Committees at Appendix 1;
2. The report covers data on service volumes, determined applications, enforcement carried out by the Authority, as well as Sub-Committee decisions and prosecutions.
 - Sub- Committee A: GPL Chair, Labour Cllr A, Lib Dem Cllr A
 - Sub- Committee B: GPL Vice Chair, Labour Cllr B, Lib Dem Cllr B
 - Sub- Committee C: GPL Chair, Labour Cllr C, Lib Dem Cllr A
 - Sub- Committee D: GPL Vice Chair, Labour Cllr D, Lib Dem Cllr B;
3. **Agree** that substitution is permitted on each of the 4 sub-committees but that substitutes must be from the General Purposes Licensing Committee and must maintain political proportionality;
4. **Agree** the meeting dates and time listed below; and
5. **Agree** that the names of members for the 4 sub-committees be agreed outside the meeting.

Date	Sub-Committee	Date	Sub-Committee
28 May 2019	A	03 Feb 2020	C
08 July 2019	B	16 Mar 2020	D
19 Aug 2019	C	17 Apr 2020	A
30 Sep 2019	D		
11 Nov 2019	A		
16 Dec 2019	B		

5. Annual Update on Taxi Licensing Activity 2018-2019

The Head of Regulatory Services and Community Safety had submitted a report to inform Committee of the progress made by Taxi Licensing during 2018-19.

The Licensing Officer introduced the report which covered data on service volumes, determined applications, enforcement carried out by the Authority, as well as Sub-Committee decisions and prosecutions.

In response to questions he explained that cases where complaints had been made to the licensing authority but no further action taken were the consequence of not being able to substantiate the complaint for one reason or another.

It was observed that the current sanctions available to sub-committees for dealing with some transgressions were, arguably, too lenient. The legal adviser said proposals to update the national guidance about these matters were nearing completion; they would expand the range of matters to be taken into consideration and, in some cases, increase the severity of the penalty.

The General Purposes Licensing Committee resolved to:

Note the contents of the report

6. Policy on Hackney Carriage Quantity Control - Unmet Demand Survey

The Licensing Officer introduced the report The recommendation to implement an official Policy on Hackney Carriage Quantity Control was agreed by Council in June 2008, including imposing a requirement that periodic reviews of the Policy were carried out.

A Hackney Carriage Quantity Control Policy is in force locally and has the effect of limiting the number of Hackney Carriage Vehicle licences granted by the Authority to a level that meets but does not exceed demand for the services of Hackney Carriage Vehicles. The current quota is set at 107 Hackney Carriage Vehicle licences.

The Licensing Authority reviews the specified limit by carrying out “Unmet Demand Surveys” every three years, which is following government best practice advice. The Policy itself forms part of the Council’s Policy Framework and changes need to be agreed by the Council.

Following a Council tendering process, CTS Traffic and Transportation trading as Licensed Vehicle Surveys and Assessment (LVSA), was appointed to undertake the “Unmet Demand Survey” in 2018.

Mr Ian Millership of LVSA then presented the outcome of the Unmet Demand Survey, a copy of which is attached to these minutes.

The key conclusions of the survey included the desirability of better advertising of taxi ranks; the need to ensure that vehicle numbers are not reduced by the encouragement of environmental improvements; the absence of any evidence that unmet demand is significant; and a view that the current limit (107 Hackney Carriages) should therefore be retained at the current level.

In response to questions Mr Millership noted the relative ease with which ranks could be clearly marked, citing the example of the practice in Newcastle.

Mr Millership was thanked for his presentation. The Committee then resolved to:

1. **Agree** to accept the recommendations of the Hackney Carriage “Unmet Demand survey” report prepared by Licensed Vehicle Surveys and Assessment (LVSA) indicating that there is currently no significant unmet demand for Hackney Carriage Vehicles in Oxford;
2. **Recommend** to Council that there is currently no significant unmet demand for the services of Hackney Carriage Vehicles and therefore to resolve to maintain the Council’s Policy of Hackney Carriage Quantity Control and the current quota of 107 Hackney Carriage Vehicle licences; and
3. **Recommend** to Council that a further “Unmet Demand survey” be commissioned in 2021, subject to any changes to relevant legislation.

7. Review of the Street Trading Policy 2019

The Head of Regulatory Services and Community Safety had submitted a report to seek approval from the Committee to consult on the draft Street Trading Policy.

The Business Regulation Team Manager introduced the report. In discussion it was noted that the proposed revisions were based on best practice. The new provisions relating to the suitability of applicants were not out of alignment with the policy in relation to taxi licensing. In relation to the proposals for limiting the sales of drinks with high sugar content and energy drinks it was noted that neither was an outright ban and the latter was just limited to children below the age of 16. It would be made clear that “animal fur” did not include wool.

It was noted that this was Lesley Rennie’s last meeting with the Committee before leaving the Council in a few days’ time. The Committee thanked her for all her work over the years and wished her well.

The General Purposes Licensing Committee resolved to:

1. **Note** the content of the report and approve the draft Street Trading Policy; and
2. **Authorise** the Head of Regulatory Services and Community Safety to undertake a public consultation on the draft Street Trading Policy.

8. Minutes

The Committee resolved to approve the minutes of the meeting held on 23 January 2019 as a true and accurate record.

9. Dates of Future Meetings

The next meeting of the Committee is scheduled to be held on:

18 September 2019.

The meeting started at 6.15 pm and ended at 7.00 pm

Chair **Date: Monday 08 July 2019**

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