

MAIDSTONE BOROUGH COUNCIL

Licensing Committee

**MINUTES OF THE MEETING HELD ON THURSDAY 24 SEPTEMBER
2015**

Present: Councillor Mrs Hinder (Chairman), and
Councillors Mrs Blackmore, Daley, Greer, Mrs Hinder,
Mrs Joy, McLoughlin, Naghi, Newton, Mrs Robertson,
Springett and Vizzard

Also Present: Councillor Sargeant

45. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Grigg, Mortimer and Parvin.

46. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Daley for Councillor Grigg

Councillor Vizzard for Councillor B. Mortimer

47. NOTIFICATION OF VISITING MEMBERS

It was noted that Councillor Sargeant was in attendance as an observer.

48. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures from Members or Officers.

49. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

50. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE
BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION.

RESOLVED: That all items on the agenda be taken in public as proposed.

51. MINUTES OF THE MEETING HELD ON 11 JUNE 2015

RESOLVED: That the Minutes of the Meeting held on 11 June 2015 be approved as a correct record and signed.

52. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - STREET COLLECTION POLICY

John Littlemore, the Head of Housing and Community Services, presented the Street Collection Policy. It was explained that Members had felt the previous policy was insufficient, and as Tunbridge Wells BC had conducted a review on this area Maidstone BC was able to draw upon this information.

- In response to questions Members heard that the use of the term 'location' in the Policy does not specify the size of the area in which street collection can take place, as this is arranged on a case by case basis.
- A list of three local events had been included in the previous Policy which prioritised street collection by local charities for the duration of those events. These had been omitted in the new Policy as the events had not been scheduled to take place in future years but could apply as they were confirmed.

It was moved and seconded that the weekend that had formerly been reserved for street collections by local charities during the River Festival continue to be reserved and that this be stated in the Street Collection Policy.

For – 2 Against – 5 Abstain - 3

It was moved, seconded and:

RESOLVED:

That the Street Collection Policy attached at Appendix B to the report of the Head of Housing and Community Services be approved, with authority delegated to the Head of Housing and Communities to make minor amendments.

For – 9 Against – 1 Abstain – 1

53. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - TAXI RANK UPDATE REPORT

The Head of Housing and Community Services, John Littlemore, presented an update on the progress of the review of taxi ranks throughout the Borough.

The Committee heard that the Parking Services Manager had advised against implementing a taxi rank in Gabriel's Hill due to its proximity to the junction, obscuring sightlines, and obstructing the emergency access.

It was moved, seconded and:

RESOLVED: That the recommendation listed at paragraph 2.3 of the report of the Head of Housing and Communities to undertake further consultation be agreed.

For – 11 Against – 0 Abstain – 0

54. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - MBC STATEMENT OF GAMBLING POLICY 2016 -2019

The Head of Housing and Community Services, John Littlemore, introduced the Draft Statement of Gambling Policy 2016-2019 and explained that, whilst the current policy was due to expire at the end of the year, new guidance was to be published imminently and therefore major changes would be deferred until guidance was released.

The Committee was advised that the policy had been amended on pages 48 and 49 to reflect updated information on demographics. Members drew attention to the inclusion in the Policy of names of former Officers who were no longer employed by Maidstone BC.

RESOLVED:

1. That the draft Statement of Gambling Policy attached at Appendix A to the report of the Head of Housing and Community Services be approved.
2. That delegated authority be granted to the Head of Housing and Community Services to make minor amendments to the Policy.

For – 9 Against – 0 Abstain – 0

55. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - DRAFT TAXI LICENSING POLICY FOR ADOPTION

The Head of Housing and Community Services presented the draft Taxi and Private Hire Licensing Policy and explained that the Policy had been out to consultation, with specific issues for consideration and remarks from consultees included in the report under paragraph 2.4.

The Committee noted that Mr Neil Cox, a representative of the Maidstone Hackney Carriage Trade and one of the consultees to the Policy, was in attendance.

It was moved, seconded and:

RESOLVED:

That Mr Neil Cox be invited to address the Committee on the draft Taxi and Private Hire Licensing Policy.

For – 11 Against – 0 Abstain – 0

Mr Cox explained that there was industry consensus with the majority of the Policy, but expanded upon some of the consultation responses as follows:

- There was concern that removing the age restriction for private hire vehicles would undermine environmental efficiency, however it was suggested that a restriction on mileage may be more appropriate.
- Some models of hackney carriage were more wheelchair accessible than others, and focus should be given to this issue.
- Vehicle testing was currently undertaken only at one garage, which could be inconvenient for drivers.

The Committee discussed the proposal that proof of medical would be accepted on production of a Group 2 medical certificate of not less than 6 months old. In response to questions Members heard that the Group 2 Certificate was valid indefinitely.

It was moved, seconded and:

RESOLVED:

That the draft Taxi Licensing Policy be amended to state that proof of medical would be accepted on production of a Group 2 medical certificate of not less than 12 months old.

For – 11 Against – 0 Abstain – 0

RESOLVED:

That the proposal for drivers with insulin dependent diabetes to be licensed at C1 standard be approved for inclusion in the draft Taxi and Private Hire Licensing Policy.

For – 11 Against – 0 Abstain – 0

RESOLVED:

That the revised wording as set out on page 90 of the report of the Head of Housing and Community Services relating to the new drivers knowledge test be approved for inclusion in the draft Taxi and Private Hire Licensing Policy.

For – 11 Against – 0 Abstain – 0

RESOLVED: That 'Private hire and Hackney Carriages should not have more than 30,000 miles on the clock or be older than 3 years at first licensing, all vehicles should cease to be licensed at 200,000 miles' be added to the draft Taxi and Private Hire Licensing Policy.

For – 11 Against – 0 Abstain - 0

Councillors further discussed the matter of age and mileage restrictions for vehicles at first licensing, and the following points were made among others:

- Drivers may find it difficult to comply unless a lead in time was provided.
- A restriction on mileage would be difficult to enforce as vehicles were licensed on an annual basis, and hypothetically the restriction could be breached mid journey.
- Adding a restriction to the mileage of cars at first licensing would require a change to process across the board, and would mean that Maidstone BC used different processes to its licensing partners.

Considered more fully, the Committee agreed that the decision made was not a workable solution. It was therefore moved, seconded and:

RESOLVED: That the draft Taxi and Private Hire Licensing Policy be amended to read 'Private hire and Hackney Carriages should not have more than 30,000 miles on the clock or be older than 3 years at first licensing'.

For – 11 Against – 0 Abstain – 0

RESOLVED: That the draft Taxi and Private Hire Licensing Policy include reference to allowing a wider selection of wheelchair accessible vehicles.

For – 11 Against – 0 Abstain – 0

The Head of Housing and Community Services advised that officers would be instructed to confirm the industry standard for wheelchair accessible Hackney Carriages.

RESOLVED: That a second garage to be used for vehicle testing be identified by Officers.

For – 11 Against – 0 Abstain – 0

RESOLVED: That provision be made in the draft Taxi and Private Hire Licensing Policy to discourage drivers from leaving their engines running whilst waiting for fares.

For – 11 Against – 0 Abstain – 0

RESOLVED: That the proposed new system of penalty points be included as proposed in the draft Taxi and Private Hire Licensing Policy.

For – 11 Against – 0 Abstain – 0

RESOLVED: That drivers who accrue seven points on their driving license under the criminal system be referred to the Committee.

For – 11 Against – 0 Abstain – 0

The Committee considered the drivers voluntary dress code. It was moved and seconded that the wearing of baseball caps be deemed unacceptable in the drivers voluntary dress code.

For – 5 Against – 6 Abstain - 0

The proposal was not agreed.

56. DURATION OF MEETING

6.32 p.m. to 8.46 p.m.