

Crawley Borough Council

Minutes of Licensing Committee

Monday, 11 June 2018 at 7.30 pm

Councillors Present:

M W Pickett (Chair)

M L Ayling (Vice-Chair)

T G Belben, N J Boxall, B J Burgess, R S Fiveash, K L Jaggard, M G Jones, K McCarthy, C J Mullins, D M Peck, B J Quinn, R Sharma and J Tarrant

Also in Attendance:

Councillor P K Lamb, S Malik and G Thomas

Officers Present:

Tony Baldock Environmental Health Manager

Roger Brownings Democratic Services Officer

Astrid Williams Solicitor

Bill Nailen Senior Licensing Officer

Apologies for Absence:

Councillor C Portal Castro

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Licensing Committee held on 30 October 2017 were approved as a correct record and signed by the Chair.

3. Review of Hackney Carriage and Private Hire Vehicle Livery Requirements

The Committee considered report PES/296 of the Head of Economic and Environmental Services. The purpose of the report was to appraise the Licensing Committee of a request from the local Hackney Carriage and Private Hire Trade to review the Council's current licensing policy concerning vehicle livery requirements especially the use of magnetic signs, and to seek the agreement of the Committee to undertake a consultation exercise on a potential change to existing policy.

A large number of people from the Hackney Carriage and Private Hire Vehicle trade attended the meeting, and were sat in the public gallery.

In referring the report to the Committee, the Chair reminded the gallery that at this stage the report was to agree to the Council's Licensing Team undertaking a consultation process on a possible amendment to the Council's policy to allow the use of magnetic signs on hackney carriages and private hire vehicles. The Chair emphasised that it would be as part of that consultation process that representations would be sought and considered. However, he indicated that if wishing to do so, he would give a limited number of trade representatives the opportunity to make their views known at this meeting. Although at this point a former taxi driver stood and abruptly protested about not being granted a taxi licence, the Chair explained to him that this was not the forum to consider such matters, and that it was a matter for the magistrates' court to consider.

The Committee considered the report in detail, and in response to issues raised, the Environmental Health Manager:

- Confirmed that in April this year a large number of private hire vehicles and a lesser number of hackney carriages had been broken into.
- Explained that although the responsibility for such criminal acts belonged to the Police, it was agreed with the Leader of the Council, the Cabinet Member, and the Police - at a recent meeting requested by representatives of the Private Hire and Hackney Carriage trades, that the Council's requirements relating to door signage in particular would be reviewed. At that meeting the trade representatives expressed its concerns that licensed vehicles were easier to identify, and thus might be more vulnerable to crime.
- Advised that the Police made a number of arrests following the meeting and the crime spree concerning licensed vehicles subsequently ceased.
- Explained that some flexibility had already been allowed at times when licenced vehicles were not working in regard to removing roof top boxes and covering door signs. Some drivers were not aware of this concession at the time of the recent vehicle break-ins.
- Confirmed that whilst magnetic door signs could be used in place of permanent door stickers, licensed vehicles would still need to have a permanently fixed licence plate.
- It was emphasised that the fixing of the licensing plate was considered a very important safeguard and it would not be appropriate to use a magnetic solution for this purpose.
- Advised that the consultation would be widespread and would include the public

The Committee generally indicated their support for the proposed consultation, whilst a good number of Members emphasised the importance of being able to properly regulate the trade with emphasis on public safety. Members felt that if approved, they, the trade and all stakeholders involved should be open minded in responding to the consultation, ensuring that where possible, risks were minimised. The drivers themselves perhaps needed to be more aware of the risks they could minimise as part of their working environment.

In seeking and receiving the permission of the Chair, the Leader of the Council also spoke on this matter. In so doing, and whilst acknowledging the need to regulate and maintain the safety of the public, he referred to the recent break-ins of licensed vehicles and suggested that the Council should take this opportunity to review the Council's current licensing policy - especially the use of magnetic signs on licensed vehicles, to ensure that those drivers could continue their livelihoods in safety. With

Police resources stretched, he considered that the Council had a duty to assist, where possible, vehicle security and thus help the drivers of the trade.

At their request, the Chair then invited the Chair of the Private Hire Association and the Chair of the Hackney Carriage Association to speak to the meeting. Both representatives conveyed their strong opposition to the use of permanent signage on licenced vehicle doors, with each putting their case forward in seeking the Council's assistance to help secure their vehicles and to assist licensed drivers to maintain their livelihoods safely.

At this point, Councillor Malik indicated that he also wished to address the Committee. The Chair declined that request reminding that Councillor twice of the strong relationship / personal interests, he had with the trade. The Councillor was vocal in his displeasure with the Chair's response and stating that the report before the Members was misleading and then left the meeting abruptly. The majority of the trade representatives sitting in the public gallery also left.

With order restored, the Committee continued to consider the report.

RESOLVED UNANIMOUSLY

That the contents of report PES/296 be noted and that the Licensing Team undertake a consultation process on a possible amendment to the Council's policy to allow the use of magnetic signs on hackney carriages and private hire vehicles.

Closure of Meeting

With the business of the Licensing Committee concluded, the Chair declared the meeting closed at 8.16 pm

M W PICKETT
Chair