

## **Licensing Committee – Meeting held on Thursday, 2nd June, 2011.**

**Present:-** Councillors Davis (Chair), Dodds, Long, Plenty, Rasib, Sharif and Sohal

**Apologies for Absence:-** Councillor Abe and S Chaudhry

### **PART 1**

#### **34. Declarations of Interest**

Councillor Davis declared a personal interest as a family member worked for Burnham Cabs.

#### **35. Minutes of the Last Meeting held on 23rd February 2011**

The Minutes of the last meeting of the Licensing Committee held on 23rd February 2011 were approved as a correct record.

#### **36. Appointment of Licensing Sub Committee and Designated Chairs**

Members were reminded that in May 2006 the Licensing Committee established a Licensing Sub-Committee in order to consider and assess matters relating to the Licensing Act 2003, the Gambling Act 2005 and taxi licensing. At that meeting, the Committee had also agreed to the appointment of designated chairs of the Sub-Committee and that these members would chair meetings on a rota basis.

Members were advised that the Sub-Committee would consist of three members to be drawn on a rota basis from members of the Committee on a politically proportionate basis. Members were informed that as the Labour group had an overall majority on the Council, the Sub-Committee would comprise 2 Labour Group Members and 1 Conservative Group Member.

#### **Resolved –**

- (a) That a Licensing Sub-Committee be established with terms of reference as set out in the Appendix.
- (b) That the Committee appoint Councillors Dodds, Long and Sharif to act as designated Chairs of the Sub-Committee for the municipal year 2011/12.

#### **37. Revised Report on Convictions and Cautions**

Members were reminded that in February 2011 a report was considered by the Licensing Committee to approve a reformatted policy document on 'Convictions and Cautions for determining the Grant, Renewal, Suspension or Revocation of a Hackney Carriage Drivers Licence, a Private Hire Drivers

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Licence or Operator's Licence.' It was noted that amendments were made to the document following guidance that had been circulated to all licensing authorities by the Office of the Local Government Regulation. At the meeting in February it was resolved that a consultation be carried out with all private hire and hackney carriage licence drivers with regard to the revised policy document.

A full consultation was conducted between March 2011 and May 2011 and Committee Members were informed that only one response to the consultation had been received.

The Licensing Officer summarised the additions and amendment to the policy document which included –

- Clarification on administering of cautions which was a National Standard.
- Further clarification on what should be considered in determining as to whether a person is a 'fit and proper person'
- Clarification by way of case law stated for a Council not to review the merits of a conviction.
- Inclusion of guidance on offences committed under 'relevant legislation i.e. illegally plying for hire, overcharging and refusal to carry disabled persons.
- Inclusion of the Assistant Director for Public Protection in determining matters as well as the Licensing Sub Committee.

A Member expressed disappointment with regard to the poor response that had been received during the consultation period, given that the matter had been adjourned from the last meeting in order for the consultation to be carried out.

**Resolved** – That the revised policy document when determining the 'Grant, Renewal, Suspension or Revocation of a Hackney Carriage Drivers' Licence, a Private Hire Drivers' Licence or Operators Licence' be approved.

### 38. Advertising on Private Hire Vehicles

Members were reminded that a District Council could approve and permit the type and format of advertising on private hire vehicles, with a proviso that the vehicle was not of such design and appearance as to lead any person to believe that the vehicle was a hackney carriage.

The current policy for advertising on Private Hire Vehicles was approved by the Licensing Committee in 2001. This policy permitted a sticker with a web address for the company that controls a particular car to be displayed on the inside of the front windscreen, the rear window and on the rear bumper. It was brought to Members' attention that over the past few years, a number of Private Hire Operators had requested that they be allowed to advertise their

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companies on Private Hire Vehicles in a more prominent and conspicuous manner than the current policy allowed.

Licensing Officers had looked at a number of other local authorities who allowed additional advertising on Private Hire Vehicles and noted that signage on vehicles was displayed on the front nearside and front offside doors. It was noted that those local authorities that allowed advertising on Private Hire Vehicles had the proviso that any advertising must include the wording "Private Hire Vehicle – Advanced Bookings Only" or a similar wording. Members were informed that this was already used on the licence plates for all private hire vehicles within Slough and was essential in identifying vehicles as private hire vehicles and not hackney carriage vehicles.

Members were informed that a formal consultation with all Slough Licensed Private Hire Operators had been conducted and there had been no responses to this consultation.

**Resolved** - That the new recommended policy to allow Private Hire Operators to display additional advertising of their services on Private Hire Vehicles under their control as contained in the Appendix, in addition to the current policy permitting advertising, be approved.

### **39. Date of Next Meeting**

Thursday, 21 July 2011.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 6.45 pm)