

## **Licensing Committee – Meeting held on Wednesday, 5th October, 2011.**

**Present:-** Councillors Davis (Chair), Abe (from 6.55pm), S Chaudhry, Dodds, Munawar, Plenty, Rasib, Sharif and Sohal

**Apologies for Absence:-** Councillor Long

### **PART 1**

#### **40. Declaration of Interest**

None.

#### **41. Minutes of the Last Meeting held on 2 June 2011**

The minutes of the last meeting of the Licensing Committee held on 2<sup>nd</sup> June, 2011 were approved as a correct record.

#### **42. Committee Membership - Verbal Update**

The Democratic Services Officer informed Members that Councillor Munawar had been appointed to the Licensing Committee following a meeting of Council on 29<sup>th</sup> September 2011. It was noted that a BILLD Group vacancy remained on the Committee.

#### **43. Review of Licensing Rear Loading Wheelchair Accessible Vehicles**

Prior to consideration of this item, Committee Members and Licensing Officers viewed a number of Rear Loading Wheelchair Accessible Vehicles.

The Licensing Officer reminded Members that in 2005 Council had approved to remove the limit on the number of Hackney Carriage vehicles and introduced a number of conditions that had to be met by any new vehicle to be licensed as a Hackney Carriage. The approved conditions stated that only vehicles meeting European Whole Vehicle Type Approval or UK Low Volume Type Approval would be licensed as Hackney Carriages. Vehicles that met UK Single Vehicle Approval would not be licensed as Hackney Carriage vehicles.

It was noted that the conditions prohibited the licensing of vehicles in which a wheelchair was loaded into the vehicle from the rear. This condition was included following advice from the National Taxi Association, the Spinal Injuries Association and a number of other associations including Primary Care Trusts. The Licensing Officer explained that in a situation where a rear loading wheelchair accessible vehicle was struck from behind by another vehicle, there was a possibility that the wheelchair occupant would not be able to exit the damaged vehicle without help from the emergency services.

## **Licensing Committee - 05.10.11**

The Licensing Officer stated that in August 2011, the Licensing Office received a formal request from Mr Mustafa, a Hackney Carriage vehicle licence holder, to allow rear loading wheelchair accessible vehicles to be licensed as hackney carriages. The matter had been reported to the Committee for Members to consider and decide whether to carry out a full consultation with relevant stakeholders as to whether these types of vehicles were suitable to be licensed as Hackney Carriage Vehicles.

Mr Mustafa addressed the Committee stating that a number of neighbouring local authorities licensed rear loading vehicles and that there were considered to be as safe as side rear loading vehicles. Furthermore, Mr Mustafa stated that in his opinion, members of the Hackney Carriage trade were being discriminated against, given that Slough's Mobility Scheme, 'Out and About' operated vehicles that had rear wheelchair accessibility.

Mr Safraz Khan also addressed the Committee and stated that the request was due to financial reasons. It was outlined that the cost of a rear loading vehicle was approximately £17,000 compared to £30,000 for a side loading accessible vehicle. Mr Khan outlined the difficulties associated with assisting individuals into the current side loading vehicles.

Representations were also made by Mr Hallum from CabDirect. It was stated that a number of local authorities had approved the licensing of rear loading vehicles. In addition, many mobility schemes had rear loading wheelchair accessible vehicles and in his view it was safer to get customers into the vehicle via a rear loading vehicle.

Committee Members asked a number of questions for clarification to the speakers including whether there were any safety concerns regarding speed humps due to the fact that rear loading wheelchair accessible vehicles had a lower vehicle floor than side loading vehicles. Mr Hallum stated that this would not present a difficulty as these vehicles had greater suspension than side loading vehicles.

A detailed discussion followed with regard to safety of the vehicles. A Member expressed concern that points raised by the Licensing Manager in an email sent to Mr Mustafa in August 2011 had not been clarified and submitted that consideration of the matter be deferred until a response had been received.

A number of Members stated that having viewed the rear loading vehicles, they were satisfied that these vehicles were safe and that a consultation with all stakeholders be carried out.

**Resolved** – That a written response to the points raised within the Licensing Manager's email dated 24<sup>th</sup> August, 2011 be provided within two weeks from the date of the meeting to the Licensing Manager. Upon receipt of the response the Licensing Manager would consult with the Chair of the Licensing Committee, following which a consultation with relevant stakeholders would be carried out.

**44. Distribution of Free Printed Material**

In outlining the report, the Licensing Officer informed Members of the reasons why it was being proposed that a fee be introduced for distribution of free printed matter within certain designated areas. It was noted that the Environmental Protection Act 1990 authorised the Principle Litter Authority i.e. Slough Borough Council to introduce controls and regulations regarding the distribution of free printed matter in designated areas.

Members raised a number of concerns with regard to the report including:

- How the designated areas had been identified
- What evidence there was to suggest that these areas were 'hotspots'
- How the introduction of such a scheme would be implemented and enforced, including what penalties would be served on individuals who did not apply for permission to distribute free printed matter
- The legal implications of introducing a policy for certain areas of the Borough i.e. would this be discriminatory to certain businesses
- What the fee would be and the time period for which this would be applicable.

The Licensing Officer explained that free printed matter distributed on or behalf of a charity, or where the distribution was for political purposes or for the purpose of a religion or belief, were exempt under the Environmental Protection Act 1990 and a fee would not apply to these organisations.

In the ensuing discussion Members agreed that further information was required and decided that the matter be referred to a scrutiny panel.

**Resolved –** That the matter be referred to the Neighbourhoods and Renewal Scrutiny Panel to investigate further and the findings of the Scrutiny Panel to be reported to a future meeting of the Licensing Committee.

**45. Members' Attendance Record**

**Resolved –** That the report be noted.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.30 pm)