

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Monday 10 October 2022 at 6.00 pm in The Telford Room, Addenbrooke House, Ironmasters Way, Telford, TF3 4NT

Present: Councillors H Rhodes (Chair), A R H England, S J Reynolds, J M Seymour and D Wright

In Attendance: S Hardwick (Lead Lawyer: Litigation & Regulatory) and J Clarke (Senior Democracy Officer (Democracy))

Apologies: Councillor C R Turley, M B Hosken and M J Smith

LIC14 Declarations of Interest

None.

LIC15 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Licensing Committee held on 15 March 2022 be confirmed and signed by the Chair.

LIC16 Terms of Reference

The Lead Lawyer: Litigation & Regulatory presented a verbal report which asked Members to review the Terms of Reference for the Licensing Committee.

The Constitution required that Full Council should agree at its Annual Meeting the Terms of Reference for each of its Committees to enable the Council to efficiently conduct its business.

At the Annual Meeting of the Council on 19 May 2022, Full Council delegated authority to each Committee to review its own Terms of Reference. The Terms of Reference forms part of the Constitution and was approved by Full Council in that context on 3 March 2022.

There was one minor change suggested to the Terms of Reference which provided clarity around the process for appointment of a Chair for the Committee in that the Chair was appointed by Full Council but set out that a Vice-Chair may be appointed by a majority decision of the Committee.

RESOLVED – that Licensing Committee agree the Terms of Reference, as amended.

LIC17 Review of Hackney Carriage and Private Hire vehicle Age Limits

The Principal Licensing Officer presented the report of the Public Protection Group Manager which considered a review of the Council's Hackney Carriage and Private Hire vehicle age limits, frequency of MOT and compliance inspection. The report also asked the Licensing Committee to consider a review of paragraph 3.14 of the Council's Hackney Carriage and Private Hire Licensing Policy, which introduced a definition of 'Purpose Built Hackney Carriage'.

The Telford & Wrekin Council Hackney Carriage and Private Hire Licensing Policy currently imposed vehicle age limits for both Private Hire and Hackney Carriages and the Licensing Team had received a request from the private hire trade to review vehicle age limits which had been in existence for a number of years.

A consultation had taken place and eleven responses had been received which supported proposals for an increase in vehicle age limits.

Benchmarking with neighbouring authorities had taken place and a number of recent Licensing Sub-Committees had taken place with proprietors seeking a renewal of the vehicle licence which was approaching the age limit.

It was proposed that the variation to the age limit of purpose built vehicles be increased from twelve to fifteen years for new applications and to apply annually for Exceptional Condition Criteria after twelve years of age up to a maximum of fifteen years. For those already licensed at 1 October 2022 after twelve years they could apply for exceptional criteria with no upper age limit.

Multi-purpose vehicles would increase from ten years to twelve years but no exceptional criteria would be given for this category.

Purpose built vehicles would require a six monthly MOT and compliance test after the age of twelve years and multi-purpose vehicles would require a six monthly MOT and compliance test after five years.

During the debate some Members asked if electric vehicles were covered by the Policy and would there be a difference with the licence and vehicle testing. Other Members raised concerns regarding vehicles operating in the area that were not licensed within the borough. It was also asked in relation to benchmarking were other authorities more generous in their policies.

The Principal Licensing Officer confirmed that hybrid vehicles were currently licensed but no electric vehicles at this time. The Policy would be kept under constant review as new vehicles come forward to be licensed. In relation to benchmarking, four other authorities had been contacted with two having no vehicle age limits, one having a sixteen year limit for hackney carriages and the remaining authority had similar vehicle ages.

Upon being put to the vote it was, unanimously:

RESOLVED – that

- a) amendments to Hackney Carriage and Private Hire vehicle age limits and frequency of vehicle testing be approved; and
- b) amendments to the Council's policy (paragraph 3.14) on the definition of a 'Purpose Built Hackney Carriage' and amendments to 'Exceptional Condition Criteria' as it relates to Hackney Carriages be approved.

LIC18 Exclusion of Press and Public

It was recommended that the press and public be excluded from the meeting for the remaining item of business on the grounds that it may involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

LIC19 Hackney Carriage Fares

The Principal Licensing Officer updated Members on Hackney Carriage Fares Report which had recently been to Cabinet. A process of consultation was currently being undertaken on the table of fares and this had been advertised in the Shropshire Star. Cabinet had granted delegated authority to Licensing Committee to undertake any future reviews, amendments or revisions in relation to Hackney Carriages.

The meeting ended at 6.21 pm

Chairman:

Date: Tuesday 14 March 2023