



Leicester  
City Council

Minutes of the Meeting of the  
LICENSING AND PUBLIC SAFETY COMMITTEE

Held: TUESDAY, 24 APRIL 2018 at 5:30 pm

P R E S E N T:

Councillor Thomas (Chair)  
Councillor Hunter (Co-Vice Chair)

Councillor Dr Barton  
Councillor Cank

Councillor Fonseca  
Councillor Shelton

Councillor Unsworth

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**29. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Byrne.

**30. DECLARATIONS OF INTEREST**

Members were asked to declare any interest they might have in the business to be discussed on the agenda. No such declarations were made.

**31. DATES OF MEETINGS**

The proposed dates for meetings of the Licensing and Public Safety Committee placed in the Annual Calendar of Meetings for the 2018/19 Municipal Year, to be confirmed with Committee Members after agreement at Annual Council on 17 May 2018 were noted as:

Tuesday 10 July 2018  
Tuesday 24 October 2018  
Tuesday 12 February 2019  
Tuesday 23 April 2019

**32. MINUTES OF PREVIOUS MEETING**

**RESOLVED:**

that the minutes of the meeting held on 5 March 2018 be approved as a correct record.

### **33. PETITIONS**

The Monitoring Officer reported that no petitions had been submitted in accordance with the Council's procedures.

### **34. QUESTIONS, REPRESENTATIONS, STATEMENTS OF CASE**

The Monitoring Officer reported that no questions, representations and statements of case had been submitted in accordance with the Council's procedures.

### **35. HACKNEY CARRIAGE AND PRIVATE HIRE SERVICES - CROSS BORDER HIRING**

The Director of Neighbourhood and Environmental Services submitted a report to inform the Committee of issues associated with cross border hiring and sought support for proposals put forward by Transport for London (TFL) regarding legislative change to address the problems.

The Committee was recommended to consider the proposals in the report, and request that the City Mayor and Executive communicate Leicester City Council's support for the proposals made by TFL for legislative changes to address the problems associate with cross border hiring.

The Chief Licensing Officer presented the report. Members were informed the issue of cross border hiring was a significant issue across the country, causing concern to licensing authorities, traders and passengers. It also affected the ability of authorities to undertake enforcement action, was a concern with regards to public safety, and undermined local standards and complaints.

A letter dated 6 March 2018, signed by almost 100 drivers licensed by Leicester City Council was received by the City Mayor, and raised concern with 'out of town' drivers and vehicles. The Chief Licensing Officer intends to meet with representatives for the drivers to talk over the issues they face, and include comments in the response to TFL.

It was reported that TFL had undertaken a lot of work around the cross border issue, and had put forward a package of proposals for legislative changes in response:

- New primary legislation:
  - Introduce a start or finish requirement – all taxi and private hire journeys must either start or end in the area in which the driver and vehicle (and operator in respect of private hire) are licensed;
  - Statutory guidance from the Department of Transport to introduce national minimum standards, that are high enough to provide a guarantee of customer safety and accessibility; and
  - To introduce national enforcement powers, to enable licensing authority enforcement officers to enforce the national minimum standards in their

areas regardless of where the operator, driver and vehicle are licensed, supported by a provision for data sharing.

Members noted that it was important that all three proposals were progressed, as one or two in isolation would not work. An example given for start or finish was, an operator in Leicester would not be able to accept a job from Nottingham to Birmingham. It highlighted that if a Leicester operator could not do the above, someone in Nottingham or Birmingham could, but the same would be true in reverse and it localised work.

A concern on the proposals expressed was the increased burden on some businesses. It was not anticipated the proposals would make a significant difference. The proposals included the need for operators, drivers and vehicle owners be licensed in each area they wished to work. This removed the unfairness of an authority receiving income and drivers going to work elsewhere.

As stated in the report, the Mayor for London had requested other reforms to address issues faced in London and elsewhere in England.

When considering the recommendations outlined in the report, Members were also asked to consider the involvement of local MPs.

The Chair thanked officers on a particularly good piece of work. He believed the report set out problems the authority faced, and a clear way on how to address them.

Members raised concern about identifying rogue drivers licensed in another area without insurance, and were informed officers had no powers to demand any information from them. The voluntary database proposed by the Local Government Association would allow enhanced enforcement and information sharing.

The Chair stated the report illustrated the work the authority had gone to in getting the taxi and private hire fleets in the city to comply with tests, and did not want standards eroding by people coming from out of town.

RESOLVED:

that, following consideration of the proposals in the report:

1. A request be made that the City Mayor and Executive communicate Leicester City Council's support for the proposals made by Transport for London for legislative changes to address the problems associated with cross border hiring;
2. Local MPs be contacted about the decision reached by the Licensing and Public Safety Committee, and ask them to lend their support when the matter was taken before Parliament – a common letter be sent to them so all points were covered, and stress that as representatives in the Wards, they were in support of the proposals covered by the report;

3. All three proposed legislative changes be considered together and not in isolation.

### **36. TEMPORARY RELAXATION OF TAXI AGE POLICY FOR HACKNEY CARRIAGES - UPDATE**

The Director of Neighbourhood and Environmental Services submitted a report to inform the Committee of the current position regarding the temporary relaxation of the Taxi Age Policy for hackney carriages. The Committee was recommended to note the report.

The Chief Licensing Officer presented the report, which was connected to the introduction of ultra-low emission vehicles (ULEVs).

Members were informed that on 31 August 2017 the City Mayor had introduced a temporary relaxation of the age policy to 30 June 2018 (the end of general moratorium date). A subsequent phase lasting until 31 March 2019 would allow existing over-age vehicles to be licensed if the owner provides proof that they have ordered a ULEV.

Members were asked to note there was a delay as grant funding expected by April 2018 was not yet in place, and was expected in late summer / early autumn. It was further noted that a second ULEV should be available later in 2018.

It was reported that, following consultation with the Deputy City Mayor, the Director of Neighbourhood and Environmental Services had decided to extend the end of the general moratorium to 31 December 2018, with no obligation for drivers to replace their vehicle with a ULEV. The deferment would be reviewed in September 2018.

The decision to defer was made so that drivers who wanted to take advantage of the LCC grant scheme would have the opportunity to do so, and the deferment would advance the aims of the Air Quality Plan 2015-16 by supporting owners of existing hackney carriages to replace them.

The grant funding could be up to £15k, based on the emissions of CO<sub>2</sub> of the current driver's vehicle, and would bridge the gap between purchasing a standard car and a ULEV. Over the life of the vehicle it would save the driver money. The grant funding was due to come from a central budget as part of the Transport Strategy, though the process was complex. In terms of the Air Quality Strategy, it included infrastructure, including charging points. Charging points for ULEVs in the city had been discussed, though not necessarily on the ranks, but in the vicinity.

The Chair thanked the officer for the report.

**RESOLVED:**

that the report be noted.

### **37. LICENSING POLICY REVIEW SCHEDULE**

The Director of Neighbourhood and Environmental Services submitted a report to inform the Committee of the schedule for the review of licensing policies. The Committee was recommended to note the content of the report.

The Chief Licensing Officer presented the report which showed the planning ahead of the different regimes in the licensing section, and the number of different policies worked to. The provisional timetable was for the next two years.

Members were informed of the statutory review cycle, i.e. 3 years for the Gambling Act 2005, 5 years for the Licensing Act 2003, but that other policies did need to be looked at. It was noted the Licensing Committee would be consulted on changes to policies.

Members raised concern that some of the policies were overdue a review, for example, sex shops, with an existing policy start date of 2003, and street trading at 2008.

It was also raised that Leicester had suffered significantly from lead theft. Members noted the Scrap Metal Act 2012 was introduced because of issues around the country, for example, the theft of cable which stopped railways running. The Act introduced the licensing of scrap metal dealers, and controlled what scrap metal dealers did, creating an audit trail of where scrap metal was from. If the police or an enforcement officer visited a scrap yard, the proprietor had to prove where items had come from.

The Chair thanked the officer for the report.

RESOLVED:  
that the report be noted.

### **38. CLOSE OF MEETING**

The meeting closed at 6.21pm