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## GENERAL LICENSING COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Tuesday, 9 April 2019 from 7.00pm - 7.38pm.

**PRESENT:** Councillors Cameron Beart (Chairman), Bobbin, Roger Clark, Paul Fleming, Peter Marchington (Substitute for Councillor Tina Booth), Anita Walker and Tony Winckless.

**OFFICERS PRESENT:** Philippa Davies, Della Fackrell, Robin Harris, Chris Hills and Mark Reynolds.

**APOLOGIES:** Councillors Tina Booth and Prescott.

### 601 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

### 602 MINUTES

The Minutes of the Meeting held on 2 October 2018 (Minute Nos. 246 – 254) were taken as read, approved and signed by the Chairman as a correct record.

The Licensing Sub-Committees held on:

23 October 2018 (Minute Nos. 283 – 287)  
19 December 2018 (Minute Nos. 404 – 408)  
23 January 2019 (Minute Nos. 450 – 454)  
28 January 2019 2pm (Minute Nos. 460 – 464)  
28 January 2019 3pm (Minute Nos. 465 – 469)  
19 March 2019 (Minute Nos. 565 – 569)

were taken as read, approved and signed by the Chairman as a correct record.

### 603 DECLARATIONS OF INTEREST

No interests were declared.

### 604 PUBLIC SESSION

The Chairman advised that no requests to speak had been received.

**Part B Minutes for Information**

**605 LICENSING UPDATES**

**6.1 OLEV/ULEV grants**

The Resilience and Licensing Manager introduced the Office for Low Emission Vehicles/Ultra Low Emission Vehicles (OLEV/ULEV) grants update. She explained that Kent County Council (KCC) had been successful in their bid for 75% of the £180,000 funding. The suppliers of the units were happy to put in the remaining 25%. Officers had been looking for the best locations for the rapid charging points, which included positioning one at a local supermarket. Although taxi vehicles were not fully electric in the Borough at the moment, due to only being allowed in the new policy from last summer, there had been interest from one of the taxi companies who had hybrid vehicles.

The Resilience and Licensing Manager explained that KCC would lead on procurement, and the units would be installed by the end of March 2020. Swale Borough Council (SBC) would take over their management once the units had been installed, following further discussions with KCC on this process. The units could be made available to the public and this would be reviewed if the number of electric taxis increased.

In response to questions, the Resilience and Licensing Manager explained that as the supermarket, where the units were likely to be positioned, already had their own charging points, the units installed by KCC would be marked differently, and there would be clear signage as well. She also explained that Licensing would keep a close watch for further funding opportunities which could mean that more charging points could be installed across the Borough.

**6.2 Taxis**

The Licensing Officer introduced the taxi update. She explained that the taxi policy had been in place since July 2018 and was working well. This had helped officers to keep checks on taxi drivers. Penalty points were more focussed, and vehicle checks were no longer carried out as it was considered this was doubling-up with the garage inspections that were carried out. This enabled more time for more targeted enforcement. The Licensing Officer explained that small amendments to the policy could be carried out by the Chairman and the Resilience and Licensing Manager, and this ensured the Policy was kept up-to-date.

The Licensing Officer explained that the Street Knowledge Test (SKT) was now online, which most taxi drivers preferred. A safeguarding module had been introduced, whereby a short film was shown, with questions afterwards. Candidates were expected to achieve the 100% pass mark on this module. The Licensing Officer considered this approach indicated that SBC was being robust with regard to safeguarding. The questions would be refined so that the SKT would not become obsolete.

The Licensing Officer reported that taxi driver meetings were now being held at 3 monthly intervals. Drivers had been kept up-to-date with the roadworks in

Sittingbourne, with agencies responding to questions which the taxi drivers had asked. The Licensing Officer stated that all drivers were invited to these meetings, but acknowledged that there needed to be more engagement with the taxi drivers on the Isle of Sheppey and Faversham.

In response to a question, the Licensing Officer explained that the SKT was carried out in the IT room at Swale House, not at the drivers' home.

The Chairman explained that last year there had been a decline in attendance at the drivers' meetings, but there were now regular attendees, mainly the driver operators, rather than individual drivers. The meetings had changed from six-monthly to three-monthly, 6pm-7pm.

### **6.3 Kent Community Alcohol Partnership (KCAP)**

The Licensing Officer introduced the KCAP update and explained that the aim was to reduce underage alcohol sales, with partnership initiatives, including the involvement of youth workers to help reduce underage drinking. He explained that 19 premises in Sheerness, and 14 in Leysdown had been visited, inviting them to join the Partnership. The Licensing Officer explained that the next step was to carry out formal inspections, and then visit again to ascertain progress. All the premises would be mapped, and would show 'red' at the start of the process, moving to 'green' to show progress.

The Licensing Officer advised that the launch of the project would be early Summer 2019, and it was hoped that this would really make a difference.

### **6.4 Local Area Profile**

The Licensing Officer introduced the Local Area Profile update and explained that although there was not a legal requirement to carry out a three-year review of the Gambling Act 2005 Statement of Principles, SBC Licensing had chosen to do so and were preparing a Local Plan Profile. This highlighted areas 'at risk' and going through this process helped to show best practice. Mapping tools would be used to indicate the demographics and the results of this would be submitted to the Committee on 9 July 2019.

### **6.5 Street Trading Policy**

The Licensing Officer introduced the Street Trading Policy (STP) update and explained that as they were working on the 2013-16 version, a review was required. She reported that the current policy did not conform to legislation, and officers were working on a draft Policy which was robust enough for legal challenge. The draft Policy would be submitted to the Policy and Development Review Committee in June 2019, and then to the General Licensing Committee in July 2019. There would be a 12-week consultation.

The Chairman congratulated the Licensing Team as this was the only Policy that was not up-to-date.

The Chairman advised that there were two verbal updates.

## 6.6 National Licensing Week 2019

The Resilience and Licensing Manager explained that the National Licensing Week would run from 17-21 June 2019, and the Licensing Team would be dovetailing into initiatives raised during this time by the Institute of Licensing. She outlined some aspects of the week which included: tourism and leisure; gambling; home and family; night time economy; and business and licensing.

The Resilience and Licensing Manager explained that during this time, Members could visit taxi firms and there would also be involvement from the Environmental Response Team and the Police to help get the message out.

She also reminded Members that there would be Licensing Training for new Members after the election.

## 6.7 Scrap Metal

The Resilience and Licensing Manager explained that there had been some enforcement work recently, involving multi-agencies, including the Environmental Response Team.

### **Resolved:**

**(1) That the updates be noted.**

## Part A Minute for Recommendation to Council

### 606 THE ADOPTION OF THE TAXI NATIONAL REVOCATION AND REFUSALS REGISTER

The Licensing Officer introduced the report which set out the National Register of Taxi Revocations and Refusals (NR3) and asked the Committee to consider adopting the Register and associated Guidance. She reminded Members that the General Licensing Committee, at its meeting on 2 October 2018, had approved participation in the national database. Adoption of NR3 would allow records of where a driver's licence had been revoked, or an application was refused, to be seen.

The Licensing Officer reported that consultation had been carried out from 22 October 2018 to 14 December 2018 to all existing taxi drivers and the general public. No responses had been received.

A Member referred to the personal information recorded on the NR3 and suggested a photograph of the person also be included to ensure that the correct person had been identified. The Licensing Officer explained that the enhanced Disclosure and Barring Service (DBS) check included comprehensive records, and that during the medical, the driver's GP was required to verify that the person was one and the same, by checking with a photograph of that person.

The Senior Lawyer advised that the NR3 would ensure that a person's name, including aliases, would be added to the register and their history, and any

revocations would be available to view. Previously revocations could not be viewed.

A Member considered that consultations like this were being missed by a lot of people as they did not have on-line access, and very few people read a newspaper, so could not pick up a consultation there also. The Licensing Officer acknowledged the issue and suggested the information could be sent to libraries for them to display. She welcomed any other suggestions for publicising consultations.

Another Member agreed that consultations were not being publicised enough. The Licensing Officer explained that SBC had done more than other Local Authorities in promoting the register, and that only three other Kent Local Authorities were using the register. The Senior Lawyer stated that the general public were not directly affected by the register, the drivers were, and the Resilience and Licensing Manager confirmed that they had been written to.

***Recommended:***

***(1) That it be noted that there were no responses to the public consultation regarding the adoption of the National Register of Taxi Revocations and Refusals.***

***(2) That the National Register of Taxi Revocations and Refusals be adopted as Appendix R of the Swale Borough Council Hackney Carriage and Private Hire Licensing Policy 2018-2021.***

**607 RECORD OF THANKS**

The Chairman thanked Members for their attendance at the Licensing Committees and Sub-Committees and he wished them well for the future. He also thanked officers.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel