

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING AND REGULATORY COMMITTEE - 25 SEPTEMBER  
2017

SUBMITTED TO THE COUNCIL MEETING – 17 OCTOBER 2017

(To be read in conjunction with the Agenda for the Meeting)

**Present**

Cllr Patricia Ellis (Chairman)	Cllr Simon Inchbald
Cllr Bob Upton (Vice Chairman)	Cllr Peter Isherwood
Cllr Maurice Byham	Cllr Anna James
Cllr John Fraser	Cllr Carole King
Cllr Tony Gordon-Smith	Cllr Robert Knowles

**Apologies**

Cllr Michael Goodridge and Cllr Libby Piper

10. MINUTES (Agenda item 1.)

The minutes of the meeting that took place on 19 June were confirmed and signed.

11. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 2.)

Apologies were received from Councillors Libby Piper and Michael Goodridge.

12. DECLARATIONS OF INTEREST (Agenda item 3.)

There were no declarations of interest.

**LICENSING ACT 2003 ITEMS**

**PART I – RECOMMENDATIONS TO THE COUNCIL**

There were no matters falling within this category.

**PART II – MATTERS OF REPORT**

The background papers relating to the following items are as set out in the reports included in the original agenda papers.

13. HACKNEY CARRIAGE AND PRIVATE HIRE POLICY REVIEW (Agenda item 6.)

The Committee received a report which outlined proposed changes to the Hackney Carriage/Private Hire Policy. The primary change related to a complete revision of the current convictions policy, in order to help prevent the sexual exploitation of children by introducing consistent standards across Surrey. The key changes were

- An adoption of a consistent taxi and private hire convictions policy across Surrey;  
and

- Implementation of Mandatory CSE training for all taxi and private hire drivers in Surrey.

The Committee was advised that the Policy had been originally adopted by the Council in July 2010 and was last revised on 1 March 2016. The current policy was attached to the report with the proposed changes outlined in red. Members were asked to consider the proposed changes and to agree that it be put to public consultation over a 6 week period.

The Committee considered the proposed change to the convictions policy which would bring Waverley in line with its partners including all 11 Surrey Local Authorities who had agreed a Child Sexual Exploitation Strategy and action plan. This aimed to develop a coordinated response to CSE across the County. Licensing targets included taxi and private hire licensing, premises licensed under the Licensing Act 2003, participation in operation Make safe and information sharing. The changes would ensure a consistent approach.

The report outlined proposed changes to the Window Tinting arrangements. The current law required all vehicles to allow not less than 75% transmission of light through the front windscreen and not less than 70% transmission of light through the front passenger/driver side windows. Members were advised that an increasing number of vehicular manufacturers fitted these windows as standard without the option (or at a cost) the alternate clearer glass.

There were a number of benefits to having darkened windows such as added protection from ultraviolet rays and improved thermal comfort by reducing heat build up within the vehicle. However, the dark tinted windows fundamentally made it more difficult to see into the rear of a vehicle and could conflict with other parts of the Licensing Policy. Members agreed that it was important that activities taking place in the vehicle needed to be viewable from the outside. Therefore, the Committee recommended that the current policy should not be changed but the wording improved to ensure that the Council's requirements were clearly set out. Grandfather rights would apply to all vehicles which were currently licensed, and the policy would be fully applicable to all new vehicles being licensed.

The Committee was reminded that Waverley's Penalty Point Scheme, which was introduced in March 2016, issued 6 points for using a mobile phone whilst driving. Mobile phone driving laws were first enacted in December 2003 and since March 2017 the penalty imposed by the police was doubled. The Committee was asked to consider whether the same should apply with the Council's Penalty Point Scheme. Members agreed that this was a serious matter and agreed that the points be increased to 12 points. Members also agreed to clarify that no smoking in a licensed vehicle included the use of electronic cigarettes and vaping.

The Licensing Manager also sought the Committee's approval to amend the wording relating to the plying for hire category within the penalty points scheme so that it was non-vehicle specific and would apply to a taxi or private hire vehicle. This was agreed.

RESOLVED that the draft changes to the Taxi and Private Hire Licensing Policy, subject to the comments above, be approved for the purpose of public consultation over a 6 week period.

14. MINUTES OF THE MEETINGS OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE (Agenda item 7.)

The minutes of the meeting of the Licensing (General Purposes) Sub-Committee which took place on 19 June 2017 were noted.

15. MINUTES OF THE MEETINGS OF THE LICENSING ACT 2003 SUB-COMMITTEES (Agenda item 8.)

The minutes of the meeting of the Licensing Sub-Committee C held on 21 August 2017, tabled at the meeting, were noted.

**The meeting commenced at 10.00 am and concluded at 10.30 am**

**Chairman**