

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 30  
SEPTEMBER 2015  
9.30 - 10.15 AM**

**Responsible Officer:** Emily Marshall  
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**Present**

Councillor Michael Wood (Chairman)  
Councillors Keith Roberts (Vice Chairman), Peter Adams, Joyce Barrow, Vernon Bushell,  
Peter Cherrington, Roger Hughes, Robert Macey, Dean Carroll and Andrew Bannerman  
(substitute for Nigel Hartin)

**14 Welcome and Introductions from the Chairman**

The Chairman gave a brief introduction and welcomed those present to the meeting.

**15 Apologies**

Apologies for absence were received from Councillors Steve Davenport, Andrew Davies, Nigel Hartin (Substitute Andrew Bannerman), Viv Parry and Robert Tindall.

**16 Disclosable Pecuniary Interests**

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

**17 Minutes of Previous Meeting****RESOLVED:**

That the Minutes of the meetings held on 14<sup>th</sup> and 20<sup>th</sup> May 2015 be approved as a correct record and signed by the Chairman.

**18 Public Question Time**

The Chairman announced that nine public questions had been submitted in accordance with Council Procedure Rule 14 and had been circulated to all members of the Strategic Licensing Committee (a copy of the report containing the detailed questions and the formal response is attached to the signed minutes):

Received from Mr Paul Merrifield, Director of Comet Cars in relation to Euro 5 and NCAP 5 Standards – copy attached to the signed minutes.

Received from Mr Roddy Doran, in relation to the Euro 5 requirements being extended to 2024 rather than 2022 to enable assist drivers to purchase vehicles and requesting that the rate card remain the same to achieve continuous business within a competitive market. Copy attached to the signed minutes.

Received from Mr M Khan on behalf of Asian community drivers, in relation to Euro Standards 3 and 4 and fare cards. Copy attached to the signed minutes.

Received from Ms Tina Brookes and Mr Robbie Bruce of Access Cars Limited in relation to the requirement for new private hire vehicles to be NCAP5 and the impact this requirement was having upon the trade. Copy attached to the signed minutes.

Received from Mr A. Alyas of County/Lakeside Cars in relation to the requirement for NCAP 5 rating and the suggestion that this should be reduced to 4 stars and also a rise in fares for the hackney carriage trade. Copy attached to the signed minutes.

Received from Mr Neil Gibbons of Station Cabs in relation to current tariff charges operating in Zone 4 (Shrewsbury and Atcham). Copy attached to the signed minutes.

Received from Mr Mark Morris in relation to purchasing affordable vehicles. Copy attached to the signed minutes.

Received from Mr Mark Higgins, a licenced taxi driver in relation to the implementation of the Councils ultra-low emissions and safety policy requesting further consultation with the trade. Copy attached to the signed minutes.

Mr Sven Evans, in relation to vehicle emissions testing. Copy attached to the signed minutes.

The following response was provided at the meeting:

Before responding to the specific concerns raised within the submissions, the Council wishes to make it clear that the current Hackney Carriage and Private Hire Licensing Policy was developed over a twelve month period with extensive informal and formal consultation with the trade and other key stakeholders. This included face to face forums and two periods of formal consultation, which also included a face to face opportunity to further discuss the proposals. Full consideration was given to a large amount of verbal and written feedback prior to the formal adoption of the policy; this included making specific amendments to reduce the standards that had to be achieved and providing an extension to the timeframe by which proprietors had to comply. The Council does not accept that the policy came 'out of the blue, without dialogue'.

Having given due consideration to the content of the submissions, it is clear that there is a single overarching concern, namely certain elements (Euro Emission Standards, NCAP Safety Ratings and Hackney Carriage Fare Card) of the Council's Hackney Carriage and Private Hire Licensing Policy are apparently impacting on the ability of proprietors to comply with the relevant Policy conditions without disadvantaging them from a financial perspective.

Where the submissions have referred to the proposed amendment to the Hackney Carriage Fare Card, there will be a subsequent opportunity, in accordance with legal requirements, where objections can formally be made. Details are available in the report entitled Hackney Carriage Fares – Zone 4, which is before the committee today. Proprietors are advised to re-submit objections during the formal consultation period, which will be made known through the Council's website and the Shropshire Star.

With respect to Euro Emission Standards and NCAP Safety Ratings, the Council understands the concerns being expressed. However; one of the main priorities of the Council is to ensure the safety and promote the health of the public. Implementation of the Euro Emission and NCAP Safety Ratings through the Council's Hackney Carriage and Private Hire Licensing Policy are key to delivering this priority. In addition, the individual submissions are of a general nature and fail to practically demonstrate any consideration of financial options that may be available to the proprietors.

In relation to the recent information concerning the manufacture of some diesel vehicles and their emission levels, the facts relating to vehicles on the UK market have not yet been confirmed. If, as a result of any investigation, it is confirmed that UK vehicles are affected, the Council will consider what, if any, action it needs to take. Irrespective of the findings of any investigation, the Council will be pragmatic in its approach. The Council will continue to accept information, submitted by any proprietor, which confirms the emission standard of the vehicle concerned is in line with the current policy. This will continue until such time as any investigation relating to UK vehicles confirms that the emission information for any particular vehicle is incorrect. At this time, the Council will confirm those vehicles that do not satisfy the policy requirements; drivers, proprietors and operators are strongly advised to monitor the Council's website for updates in this respect.

Vehicles that are already licenced prior to the outcome of any investigation relating to UK vehicles being made known will remain licenced until the vehicle is replaced and/or changes are made to the Council's policy (subject to consultation and, where appropriate, transition periods). In addition, applications that have been received by the Council prior to the outcome of any investigation relating to UK vehicles being made known will be processed and providing all other requirements are satisfied will be licenced and remain valid until the vehicle is replaced and/or changes are made to the Council's policy (subject to consultation and, where appropriate, transition periods).

The Council appreciates the proposals suggesting an extension to the transition periods; however, having considered these it is the Council's view that this will only serve to prolong the fundamental issues that proprietors do have to take on board whilst meeting all the requirements of a licenced proprietor. The Council does not accept that simply removing the standards or giving too much weight to the economic implications is an appropriate way forward given the importance of ensuring the safety and promoting the health of the public.

## **19 Gambling Act 2005 - Policy Statement**

Consideration was given to the report of the Senior Commissioner for Business Support & Regulatory Services in relation to the Council's Gambling Act 2005 draft policy statement. (Copy attached to the signed minutes).

### **RESOLVED:**

1. That the draft Gambling Act 2005 policy statement as set out in Appendix 1 of the Officer's report be agreed
2. That the Head of Business Support and Regulatory Services, in consultation with the Chair of the Strategic Licensing Committee, be instructed to undertake a process of consultation and to prepare a final draft of the policy statement for further consideration by the Strategic Licensing Committee no later than 6 January 2016.

## **20 Hackney Carriage Fares - Zone 4 (Shrewsbury and Atcham)**

Consideration was given to the report of the Team Manager – Operational Community Safety in relation to hackney carriage fares, Zone 4 (Shrewsbury and Atcham). (Copy attached to the signed minutes).

During the ensuing debate, members expressed concerns at the operation of two fare zones within the County, and having heard the concerns of the trade earlier in the meeting with regards to the cost of purchasing new vehicles and other financial pressures the trade were facing, to proceed with the consultation as detailed in the officer's recommendations would be a retrograde step. The introduction of a separate fare for Zone 4 could also mean that other changes were then required.

### **RESOLVED:**

That no further action be taken in respect of fares for Zone 4.

## **21 Exercise of Delegated Powers**

Consideration was given to the report of the Team Manager – Operational Community Safety in relation to delegated powers to issue and amend licences. (Copy attached to the signed minutes).

### **RESOLVED:**

That the report of the Team Manager – Operational and Community Safety be noted.

## **22 Records of Proceedings - Licensing Act Sub-Committee**

The records of proceedings of the Licensing Act Sub-Committee meetings from March 2015 to August 2015 were received by Members (Copies attached to the signed minutes).

### **RESOLVED:**

That the records of proceedings of the Licensing Act Sub-Committee meetings from March 2015 to August 2015 be noted.

## **23 Date of Next Meeting**

It was noted that the next meeting of the Strategic Licensing Committee would be held on Wednesday, 6<sup>th</sup> January 2016 in the Shrewsbury Room, Shirehall.