

Licensing Committee (Non Licensing Act 2003 Functions)

- Date: **25 June 2020**
- Time: **4.00pm(or at close of the preceding Licensing Act Committee meeting)**
- Venue ***Please Note:** In response to current Central Government Guidance it is envisaged that this meeting will “virtual”, webcast live and accessible by skype. Public Speaking and engagement opportunities will be available
- Members: **Councillors:** O'Quinn (Chair), Atkinson (Deputy Chair), Deane (Opposition Spokesperson), Simson (Group Spokesperson), Appich, Bagaeen, Davis, Ebel, Henry, Fowler, Lewry, Osborne, Rainey, Wares and Williams
- Contact: **Penny Jennings**
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AGENDA

1 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

2 MINUTES OF THE PREVIOUS MEETING

7 - 14

Minutes of the meeting held on 12 March 2020 (copy attached)

3 CHAIR'S COMMUNICATIONS

4 CALLOVER

Items will be read out at the meeting and Members invited to reserve the items for consideration. Item(s) not reserved will be taken as

having been received and the reports' recommendations agreed.

5 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on 18 June 2020;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on 18 June 2020.

6 MEMBER INVOLVEMENT

15 - 16

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions (copy attached);
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

7 HACKNEY CARRIAGE & PRIVATE HIRE DRIVER ENFORCEMENT AND MONITORING

17 - 26

Report of the Interim Executive Director, Housing, Neighbourhoods and Communities (copy attached)

Contact Officer: Jim Whitelegg

Tel: 01273 292438

Ward Affected: All Wards

8 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to Council for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting.

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The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested. Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

FURTHER INFORMATION

For further details and general enquiries about this meeting contact Penny Jennings, (01273 291065, email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

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The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

**LICENSING COMMITTEE
(NON LICENSING ACT
2003
FUNCTIONS)**

Agenda Item 2

Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

4.00PM 12 MARCH 2020

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors O'Quinn (Chair), Henry (Deputy Chair), Deane (Opposition Spokesperson), Simson (Group Spokesperson), Allcock, Appich, Bagaeen, Davis, Ebel, Fowler, Rainey and Wares

Apologies: Councillors Atkinson, Lewry and Osborne

PART ONE

18 PROCEDURAL BUSINESS

18(a) Declarations of Substitutes

18.1 Councillor Allcock was present in substitution for Councillor Hill. Apologies were received from Councillors Atkinson, Lewry and Osborne.

18(b) Declarations of Interest

18.2 There were no declarations of interests in matters listed on the agenda. Councillors Appich, Deane, Fowler and Simson stated that they had been lobbied in respect of Item 24 on the agenda "Upper Gardner Street Trading Policy Review." All confirmed that they had not expressed a view in respect of the matter, remained of a neutral mind and would remain present during consideration and determination of that item.

18(c) Exclusion of Press and Public

18.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

18.4 **RESOLVED:** That the press and public not be excluded from the meeting during consideration of any items contained in the agenda.

19 MINUTES OF THE PREVIOUS MEETING

- 19.1 **RESOLVED** – That the minutes of the Licensing Committee (Licensing Act 2003 Functions) Meeting held on 28 November 2019 be agreed and signed as a correct record.

20 CHAIR'S COMMUNICATIONS

- 20.1 The Chair, Councillor O'Quinn provided the following updates:

Electric Vehicle Taxi – Rapid Charging Hubs

- 20.2 The Chair explained that the latest monthly Electric Taxi Newsletter which had been circulated to the trade had included details about grants available and had highlighted the potential for 80% fuel bill savings as well as reduced maintenance costs.
- 20.3 Currently 200 lamp posts were being installed around the city, with this work to be completed by the end of March. The 4 proposed rapid charging hubs would be located at the race course, Preston Park Avenue, the Circus Street development and Victoria Road, Portslade, with each hub being capable of charging up to 6 vehicles. These rapid chargers would provide a full charge within 30 minutes and it was hoped that it would be possible to install them by the summer. Once the specific bays and works had been agreed nearby residents would be written to in order to advise them of those changes and to respond to any questions. The on-street rapid charger bays would be advertised as for electric vehicle recharging only. Some bays at each hub would be made available for public use until such time as they were needed for electric taxis. The taxi trade was being kept updated via the taxi forum meetings and by production of a monthly newsletter. The Chair was pleased to be able to report that the council had licensed its second electric taxi the previous week.

Uber/TFL

- 20.4 The licensing authority had carried out an investigation into TFL's decision not to renew Uber's operator's licence in London. Although additional information had not been received from TFL extensive questioning of Uber's procedures and practices regarding this matter had been carried out and the licensing authority was satisfied that the appropriate checks were being carried out to ensure that no licensed drivers had been or were currently operating in Brighton and Hove. Uber had lodged an appeal against TFL's decision and it was understood that the appeal would be heard in July 2020.
- 20.5 **RESOLVED** – That the content of the Chair's Communications be received and noted.

21 CALLOVER

- 21.1 All items set out on the agenda were called for discussion.

22 PUBLIC INVOLVEMENT

22a Petitions

- 22.1 There were none.

22b Written Questions

22.2 There were none.

22c Deputation – Leave Rules for Historic Upper Gardner Street Market Unchanged

22.1 Mr Swain presented a deputation referring to a petition on behalf of Upper Gardner Street Traders and Residents (circulated as an addendum to the agenda)

22.2 The Chair, Councillor O’Quinn invited Mr Swain to speak to his Deputation. He explained that the street market had been in operation for over 100 years and had been subject to separate conditions in recognition of its unique character, whilst recognising that the report appearing elsewhere on the agenda sought to address issues which had been experienced measures taken needed to be proportionate. The activities of a few traders should not jeopardise the activities of the majority who behaved responsibly and it was important during difficult financial times to encourage small individual traders. Support was expressed in respect of the proposed amendment put forward by the Conservative Group which he considered would be acceptable to traders. Mr Swain went on to explain that it would be possible for traders to spread into adjacent (if unoccupied) pitches sideways without causing obstruction, that had always been integral to the operation of the market and that could be done without causing obstruction either in the street or to residents.

22.3 The Chair thanked Mr Swain for his contribution, noting the contents of the petition stating that Members would give this matter their full consideration when determining the report appearing on the agenda at Item 24 “Upper Gardener Street Trading Policy Review.

22.4 **RESOLVED** – That the contents of the petition be received and noted.

22b Written Questions

22.5 There were none.

22c Deputations

22.6 There were none.

23 MEMBER INVOLVEMENT**23(a) Petitions**

23.1 There were none.

23(b) Written Questions

23.2 There were none.

23(c) Letters

23.3 There were none.

23(d) Notices of Motion

23.4 There were none.

24 UPPER GARDNER STREET TRADING POLICY REVIEW

- 24.1 The Committee considered a report of the Executive Director of Housing, detailing recent consultation which had been undertaken recently by the licensing team reviewing the Council's Street Trading Policy, with regard to removing the exception wording applying to the Upper Gardner Street market in conditions D and E which would bring Upper Gardener Street into line with the rest of the Street Trading Policy and citywide market policy. A copy of the consultation letter and the Street Trading policy were contained in Appendix A to the report.
- 24.2 The Licensing Authority welcomed the benefit that the Upper Gardener Street Market brought to the city and acknowledged that it had been in existence for over 100 years. The aim of the proposed changes was to make Brighton & Hove's Street Trading Policy more transparent, enforceable and consistent and to bring the market in line with the rest of the Council's Street Trading Policy. Following visits to the market officers had observed traders operating outside their specified marked site and refuse being left at the end of the trading day. This had led to obstruction and litter complaints from residents and other traders. A consultation exercise had been undertaken between 30 October 2019 and 27 November 2019 and the responses received were summarised, broadly speaking residents were in favour of the proposed changes and traders were not. The report recommendations to vary the existing conditions sought to address this situation equitably.
- 24.3 An amendment had been received from the Conservative Group proposed by Councillor Simson and seconded by Councillor Wares as set out below:
- “To amend recommendation 2.1 so that the second bullet point is amended with the inclusion of the wording as shown in ***bold italics***:
- D. The Trader shall not place, store or sell, expose or offer for sale any article outside the trading area marked out at the specified site ***with the exception of Upper Gardner Street where traders can extend to an adjacent trading area when it is unoccupied.***”
- 24.4 Councillor Simson stated that her proposed amendment sought to address the needs of residents and traders in a fashion that would be acceptable to both and would address residents' concerns whilst recognising the markets unique historical character. Provided traders did not cause an obstruction she considered that use of adjacent unoccupied areas was acceptable provided that all rubbish was cleared appropriately when trading ceased for the day. Councillor Wares concurred in that view.

- 24.5 Councillor Deane agreed that if, as proposed traders would be able to extend sideways into the adjacent area that would be acceptable as it would enable available space to be taken up without causing obstruction to other users of Upper Gardner Street.
- 24.6 Councillor Simson stated that the amendment was intended to provide traders with the opportunity to maximise the space available without impacting on residents or other users.
- 24.7 Councillor Ebel stated that she supported the proposal as it made it clear what was permitted and whilst supporting traders also supported the needs of residents and the access needs of others, including those for instance who might be wheelchair bound by seeking to prevent obstructions.
- 24.8 Councillor O'Quinn, the Chair, stated that she was in agreement that the proposed amendment represented an appropriate way forward, and that as suggested it was important that traders were responsible for ensuring that their own rubbish was removed appropriately when market ceased trading for the day. As that appeared to be a bone of contention with residents that would in her view address one of their major concerns. Other Members concurred in that view.
- 24.9 Members then voted on the proposed amendment which was agreed. Members then voted on it as the substantive report recommendation, It was agreed unanimously.
- 24.-- **RESOLVED** - (1) That members agree to approve the suggested varied conditions as listed below and shown in the amended Street Trading Policy in Appendix A.
- Traders will ensure suitable refuse storage and remove refuse at the end of trading;
 - D. The Trader shall not place, store or sell, expose or offer for sale any article outside the trading area marked out at the specified site with the exception of Upper Gardner Street where traders can extend to an adjacent marked trading area when it is unoccupied;
 - E The Trader shall at all times whilst trading provide a suitable receptacle for rubbish and litter and remove the rubbish and litter from the site at the end of each days trading. Such rubbish and litter is not to be placed in municipal litter bins.

These conditions to take effect from 1 April 2020.

25 BLUE BOOK AMENDMENT – CASHLESS PAYMENT FACILITIES

- 25.1 The Committee considered a report of the Interim Executive Director, Housing Neighbourhoods and Communities requesting that Members consider whether should be a condition that all Hackney Carriage and Private Hire Vehicles must have a functioning cashless payment available for passengers.
- 25.2 It was explained that a request had been made by the Independent Drivers in Brighton and Hove a recent Taxi Forum Meeting that the trade be consulted on a proposal to make all Hackney Carriage and Private Hire Vehicles have a functioning cashless payment facility available for passengers. The current position was that cashless

payment facilities were voluntary. The UK had the highest revenue in cashless payments and it could therefore be considered reasonable to ensure that hackney carriage and private hire vehicles had facilities to offer cashless payments if required by the passenger. By carrying less cash drivers would be at less risk from losing takings including from theft and the public would be have a record of the transaction.

- 25.3 Councillor Simson stated that whilst in favour of providing the option for a cashless payment facility to be used, she did not consider it would be reasonable to compel drivers to provide this facility at the present time. In her view, whilst drivers should be encouraged to provide a cashless option, the existing voluntary arrangements should remain in place for the present.
- 25.4 Councillor Appich concurred but asked how this would be publicised and the means via which drivers would be encouraged to roll-out/provide this service. The Chair stated that the taxi trade were aware of the issue and incrementally the number of operators providing a cashless facility was increasing. Councillor Henry considered that this continue to evolve over time and that drivers should not be pushed into providing this facility.
- 25.5 Councillor Bagaeen agreed that an incremental approach was the right one and that as more drivers provided this facility as continued to be the case that of itself would encourage more drivers to do so.
- 25.6 Councillor Deane considered that a measured approach which would enable enforcement action to be taken in concert with this facility.
- 25.7 Councillor Simson agreed with all that had been said but considered that it was important for those who did provide that show clearly that they did so. It was explained that operators who did so had a window sticker clearly displayed.
- 25.8 **RESOLVED** – That Members agree that all Hackney Carriage and Private Hire Vehicles have a functioning cashless payment facility available for passengers to pay any fare due from 1st September 2020. Proprietors may also have a receipt printing facility should they wish to do so.

26 BLUE BOOK AMENDMENT - PRIVATE HIRE ROOF SIGNS

- 26.1 The Committee considered a report of the Interim Director, Housing, Neighbourhoods and Communities asking Members to consider whether Private Hire Vehicles (PHV) should no longer be required to have a roof sign.
- 26.2 It was explained that it was proposed to change the current mandatory requirement for PHV to have roof signs to one whereby it was at the proprietor's discretion. The current requirement had been in place for 30 years and with the arrival of app-based booking systems this had become less relevant. PHV's would still be required to have front and rear door signage as well as displaying a plate on the rear of the vehicle.
- 26.3 Councillor Ebel sought confirmation that this would not impact adversely on customers requiring a WAV as she had concerns that it could.

26.4 Councillor Wares stated that it appeared that the requirement for roof signage had been by-passed by modern technology and on that basis he did not consider that it should continue to be mandatory.

26.5 **RESOLVED** - That Members agree to remove the requirement for compulsory roof signs on Private Hire Vehicles. Proprietors that continue to have a roof sign on their vehicle must continue with the current specifications regarding livery.

27 HACKNEY CARRIAGE VEHICLE TRANSFER UPDATE

27.1 The Committee considered a report of the Interim Executive Director, Housing, Neighbourhoods and Communities asking Members to review the policy change it had made that a Hackney Carriage Vehicle be no longer required to become wheelchair accessible following transfer to another person. The policy was to be reviewed taking into account the taking into account the impact of the change made and the responses to the consultation exercise detailed in the report.

27.2 Councillor Simson supported the rationale for the Committees' earlier decision as did Councillor Wares although he requested that this be kept under annual review.

27.3 **RESOLVED** - That members keep the policy change as agreed on the 14 March 2019; That Members agree to remove the requirement that a Hackney Carriage Vehicle must become wheelchair accessible following transfer to another person but confirm that existing compulsory wheelchair accessible vehicles must remain wheelchair accessible. This decision to be subject to annual review.

28 HACKNEY CARRIAGE & PRIVATE HIRE DRIVER ENFORCEMENT AND MONITORING

28.1 The Committee considered a report of the Interim Executive Director, Housing, Neighbourhoods and Communities providing an update on enforcement action taken between June and November 2019.

28.2 Councillor Simson referred to item 12 stating that she considered that the reference made to the female passenger was completely inappropriate, she had suffered a very serious criminal assault whilst in a vulnerable condition. The inference which could be drawn from the manner this incident had been reported was very unfortunate. Other Members concurred in that view and it was confirmed that the manner in which any such incident was recorded.

28.3 Councillor O'Quinn, the Chair, referred to the number of complaints that had been received regarding over- ranking at Brighton Station and it was confirmed that additional enforcement had been taking place at weekends to address this problem. It was also anticipated that arrangements for use of the rear of the station by taxis would result in further improvements.

28.4 Councillor Allcock referred to the awareness raising sessions which had taken place in partnership with YMCA (Downslink). All involved should be commended for this piece of work and it was pleasing to note that 63% of Brighton and Hove Licensed Drivers had

now taken advantage of these free training sessions, which it was hoped would continue to be rolled out across the city.

28.5 **RESOLVED** – That Members note the contents of this report and that officers should continue to take action as appropriate.

29 ITEMS REFERRED FOR COUNCIL

29.1 There were none.

30 CHAIR'S COMMUNICATIONS

The meeting concluded at 5.55pm

Signed

Chairman

Dated this

day of

The following question has been received from Councillor Simson will be taken at Item 4

WRITTEN QUESTIONS FROM COUNCILLORS

(1) Changes to street layout resulting in Loss of Ranks in Response to Covid 19

Will the Chair please give an explanation as to why the taxi trade has not been consulted on changes to street layouts resulting in the loss of taxi ranks in response to Covid emergency measures, and will she give an assurance that consultation will take place any future changes?"

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 7

Brighton & Hove City Council

Subject:	Hackney Carriage & Private Hire Driver Enforcement and Monitoring		
Date of Meeting:	25 June 2020		
Report of:	Interim Executive Director of Housing, Neighbourhoods & Communities		
Contact Officer:	Name:	<i>Martin Seymour</i>	Tel: 296659
	E-mail:	martin.seymour@brighton-hove.gov.uk	
Wards Affected:	All		

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report is to update Members on enforcement action taken against Hackney Carriage & Private Hire Drivers and Applicants between March and June 2019.

2. RECOMMENDATIONS:

- 2.1 That Members note the contents of this report and that officers should continue to take action as appropriate.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Officers are deeply conscious of how the taxi trade has been impacted by the coronavirus pandemic and subsequent restrictions. We appreciate that this is very difficult time for licence holders and even though we have been unable to hold the Taxi forum due to current government guidelines, we are keeping in contact and checking in with the Trade. Officers are working with the Trade to be as flexible as possible with regard to licensing drivers and vehicles in these difficult times, at the same time as continuing to operate the licensing regime to the best of our capabilities in a way that is fair to all and ensuring the safety of the public.
- 3.2 Covid-19 and the need to avoid face to face and social distancing has impacted on enforcement has prevented officers undertaking enforcement activities. The taxi licensing team have had to adapt how licenses are issued including some checks such as for CCTV. As GP's are not currently carrying out driver medicals officers are issuing temporary licences depending on past medical history and previous 12 months GP record. A summary of these changes can be found in appendix A. These process are continually reviewed and updated as necessary.
- 3.3 Officers have taken a pragmatic approach in maintaining the licensing regime under difficult circumstances, working from home and occasional access to Hove Town

Hall to issue, plates, badges and applications received by post. The trade have been very appreciative of how the service has been adapted in such difficult circumstances continuing issuing licences largely by email application as well as post.

- 3.4 A number of proprietors have SORN their vehicles and cancelled insurance or reduced cover during this period and officers have designed a plate sticker to show that a particular vehicle is not currently licensed. Private Hire Vehicle proprietors are able to delay renewal until returning to work but due to the Council's restricted numbers policy for Hackney Carriage Vehicles these vehicles must make application to renew.
- 3.5 The issue of five new Hackney Carriage plates from the waiting list has been postponed until a ballot of eligible applicants can be held to determine who is offered a plate for the year 2020/21.
- 3.6 Legislation in relation to the Town Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976 which applies to both hackney carriages and private hire vehicles is enforced by the local authority. Non-criminal enforcement can also be affected by means of action taken against the licence held by the person who has transgressed such as warnings, suspensions or revocations.
- 3.7 Any driver must be a fit and proper person. It is not possible to give a precise definition of what this is, but at its heart is keeping passengers safe and free from risk. It is the responsibility of the applicant to satisfy the council that they are fit and proper and that they are safe and suitable to hold a licence.
- 3.8 The council can suspend, revoke or refuse a hackney carriage or private hire vehicles and/or driver licences. However, a driver licence cannot be suspended and then revoked at a later date such as at the conclusion of a prosecution. Other actions are available to officers such as verbal or written warnings which can be applied in line with the Council's [Licensing Enforcement Policy](#).
- 3.9 All cases are looked at on their own individual merit and if necessary such as in CSE cases multi agency meetings may be held to review available evidence. Legal advice is sought where appropriate and all enforcement decisions are approved by the licensing manager/head of regulatory services. In addition, the most difficult matters would come to the Chair and to the two lead members for discussion. If a matter was really serious and required immediate suspension, then officers would come to members as soon as possible after they had taken action.
- 3.10 In addition to day-to-day enforcement work, officers carry out weekly out-of-hours enforcement work, normally at weekends and weekday evenings. This includes monitoring of hot spot areas for over and illegal ranking and illegally plying for hire, vehicle inspections and occasional test purchase operations. General enforcement is essentially checking the vehicle is safe to be on the road and that the driver's details are correct.
- 3.11 For actions taken against drivers / applicants between 23 March and June 2020 See Appendix B.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

4.1. None.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1. This report is for information purposes only, so there are no financial implications.

Finance Officer Consulted: Michael Bentley

Date: 27/05/20

Legal Implications:

5.2 There are no direct legal implications.

Lawyer Consulted: Rebecca Sidell

Date:

Equalities Implications:

5.3 Licensing authorities must ensure that a safe hackney carriage and private hire service is freely available to meet the demand across all sectors of the public, especially those vulnerable groups to whom a taxi or private hire vehicle is often the only means of completing a journey.

Sustainability Implications:

5.4 None.

Crime & Disorder Implications:

5.5 Contained in the body of the report.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1. None – for information only.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1. For information only.

Driver and Vehicle Licences - Coronavirus update

Please read the following information carefully

While the Licensing Authority has plans in place to try to minimise any disruption, the Licensing Authority remains a statutory function that will continue to provide a service, although the methods of how it is delivered will change during this period.

Due to the exceptional circumstances being experienced currently with regards to Coronavirus (COVID-19) the Council have put in place emergency measures to assist drivers renewing their vehicle or drivers.

We need your help and patience to achieve this.

Please Note: Licences must still be renewed do not allow your licence to expire, if you are not able to follow the advice below please contact the licensing office on hco@brighton-hove.gov.uk

To enable the Licensing Authority to ensure public safety, the licensing office will be assessing each licence holder application individually on its own merits. Each application will need to be assessed depending on the medical condition(s) of the applicant, the right to work in the UK, and condition of the vehicle which all need be carefully reviewed before the decision is made to issue a licence, unfortunately in some cases a licence renewal may not be determined until sufficient evidence is available.

Due to the exceptional circumstances being experienced currently with regards to Coronavirus (COVID-19) the council have put in place emergency measures to assist drivers renewing their vehicle or drivers.

How to renew:

**** Please note documents submitted will be scanned and insurance certificates and V5 will be returned with your new licence by post.***

Do not include your passport / residence permit / DVLA licence – please provide good quality copies.

Driver Licences:

Medicals: We appreciate that it is difficult for some licence holders to obtain medicals due to a reduction in NHS services due to the Coronavirus. During this period please continue to obtain these through your GP if possible or ask for a copy of the last 12 months of your medical history that can be sent to the Council's independent medical advisor who will assess whether each driver reaches the group 2 standard.

The length of licence issued will depend on how much evidence you can provide that you are Fit & Proper and able to Live & Work in the UK.

We will try to issue a 1-3 year licence but for some drivers a 6 Month licence will be issued in order to complete some checks at a later date.

Please complete your Hackney Carriage Dual or Private Hire driver application form as normal ensuring that **all** parts of the form are completed and include the following;

1. Medical Form completed by your own doctor. If you're unable to obtain a medical, then please obtain the last 12 months of your doctor's notes. **ALL** medicals will be referred to the Council's Medical Advisor for assessment.
2. Completed Diabetes Questionnaire if applicable.
3. Completed Application Form (Green)
4. A **copy** of your passport if you have one *
5. A **copy** of your residence permit if you have one *
6. DBS Certificate if you are signed up to the DBS update service

On receipt of your application we will email you a link from GBG Know Your People for you to register and give consent for a DVLA driving licence check.

If you need a DBS please follow the instructions on your renewal letter. Many post offices remain open for verifying your documents.

How to submit your application: Please submit by **email** if possible as access to Hove Town Hall may become restricted.

- Scan or photograph your completed application and email to hco@brighton-hove.gov.uk. Please ensure that every page has been completed and can be clearly read.
- Post to the Taxi Licensing Office, Room G14, Hove Town Hall, Norton Road, Hove, BN3 3BQ or it can be posted in to Hove Town Hall - the post box is directly situated outside the town hall to the right of Sebastian café. Place the completed forms and documents in an envelope and mark for the attention of Taxi Licensing.

The application will be processed, and your licence will be posted back to you by 1st Class Post

Please ensure that you wear your drivers badge at all times whilst working.

Vehicle Renewals

If your application is to renew the vehicle licence then you will have to meet all of the requirements for the licence to be issued. This is to ensure that the vehicle is in a

road worthy condition and is compliant with legislation and the conditions of licencing.

We understand that during this time it may not be possible to obtain a certificate of compliance / fitness or a CCTV compliance check.

The Council has temporarily amended the conditions so that if none of the council designated garages are open we would allow a MOT certificate from any testing station.

The Council has also removed the need to obtain a CCTV Compliance certificate during this period – However your CCTV should still be in full working order and operating whilst working.

Please complete your Private Hire or Hackney Carriage application form as normal ensuring that **all** parts of the form are completed.

Please ensure that all the following documents are included:

Your completed application form, Insurance certificate, Certificate of Compliance & Fitness sheet (tick sheet) or MOT and Vehicle registration document - V5. And latest wheelchair training certificate(s) for all drivers in the case of wheelchair accessible vehicles.

How to submit your application:

- Post to the Taxi Licensing Office, Room G14, Hove Town Hall, Norton Road, Hove, BN3 3BQ or it can be posted in to Hove Town Hall - the post box is directly situated outside the town hall to the right of Sebastian café. Place the completed forms and documents in an envelope and mark for the attention of Taxi Licensing.
- Scan or photograph your completed application and email to hco@brighton-hove.gov.uk. Please ensure that every page has been completed and can be clearly read.

The application will be processed, and your licence will be posted back to you by 1st Class Post

Please Note: Licences must be renewed do not allow your licence to expire, if you are not able to follow the above advice please contact the licensing office.

We hope this will assist you during these difficult times and if you have any questions then do not hesitate to contact: hco@brighton-hove.gov.uk

Enforcement Actions Since Licensing Committee June 2020

	Licence Type	Date	Brief Description of Case	Aggravating Factors:	Mitigating Factors:	Enforcement Action Taken:
1.	Dual HC/PH Driver	27.04.2020	Failure to declare 18 points on DVLA licence		The Magistrate's Court allowed the Driver to retain his DVLA Licence	Formal Warning and to undertake the Hackney Carriage Driving Assessment.
2.	Dual HC/PH Driver	08.05.2020	No working CCTV installed in vehicle	Misleading and obstructing an investigating officer		Formal Warning

