



**Brighton & Hove
City Council**

Licensing Committee

(Non-Licensing Act 2003 Functions)

Title:	Licensing Committee (Non Licensing Act 2003 Functions)
Date:	29 June 2017
Time:	3.00pm
Venue	Hove Town Hall, Council Chamber - HTH
Members:	Councillors: O'Quinn (Chair), Morris (Deputy Chair), Hyde (Opposition Spokesperson), Deane (Group Spokesperson), Bell, Cattell, Cobb, Gilbey, Hill, Horan, Lewry, Page, Phillips, Simson and Wares
Contact:	Penny Jennings Democratic Services Officer 01273 291065 penny.jennings@brighton-hove.gov.uk

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Democratic Services: Meeting Layout Licensing Cttee

Head of Department Councillor O'Quinn (Chair) Lawyer Democratic Services Officer

Councillor Morris (Deputy Chair)

Councillor Hyde (opposition Spokes)



Councillor Cattell

Councillor Bell



Councillor Horan

Councillor Cobb



Councillor Hill

Councillor Simson



Councillor Gilbey

Councillor Lewry



Councillor Wares



Member Speaking

Public Speaker

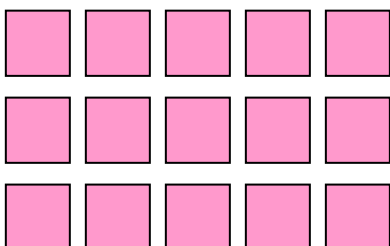
Councillor Deane (Spokes)

Councillor Page

Councillor West

Public Seating

Press



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

1 - 8

Minutes of the meeting held on 2 March 2017 (copy attached)

3 CHAIR'S COMMUNICATIONS

4 PUBLIC INVOLVEMENT

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

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

- (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 the 22 June 2017;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 22 June 2017.

5 MEMBER INVOLVEMENT

9 - 14

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;
- (c) **Letters:** to consider any letters. Letter submitted by Councillor Mac Cafferty (copy attached);
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee. Notice of Motion referred from Council on 6 April 2017 (copy attached)

6 STREET TRADING POLICY REVIEW

15 - 30

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

Contact Officer: Jim Whitelegg

Tel: 01273 292438

Ward Affected: All Wards

7 HACKNEY CARRIAGE & PRIVATE HIRE DRIVER ENFORCEMENT AND MONITORING

31 - 34

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

Contact Officer: Martin Seymour

Tel: 01273 296659

Ward Affected: All Wards

8 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the [Insert Date] 2012 Council meeting 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

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

PUBLIC INVOLVEMENT

Provision is made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

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

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Electronic agendas can also be accessed through our meetings app available through www.moderngov.co.uk

We can provide meeting papers in alternate formats (including large print, Braille, audio tape or on disc, or in different languages) Please contact us to discuss your needs.

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

ACCESS NOTICE

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The lift cannot be used for evacuation purposes so those unable to use the stairs to the public gallery can be seated at the rear of the council chamber on the ground floor should you wish to watch the meeting or need to take part in the proceedings, for example if you have submitted a question.

Please inform staff on Reception if you have any access requirements so that they can either direct you to the public gallery or to the rear of the council chamber as appropriate.

We apologise for any inconvenience caused.

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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)

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BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

3.00PM 2 MARCH 2017

COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ

MINUTES

Present: Councillors O'Quinn (Chair), Morris (Deputy Chair), Wares (Opposition Spokesperson), Deane (Group Spokesperson), Bell, Cattell, Cobb, Gilbey, Horan, Hyde, Lewry, Page, Phillips, Russell-Moyle and Simson

PART ONE

21 PROCEDURAL BUSINESS

21a Declaration of Substitutes

21.1 There were none.

21b Declarations of Interest

21.2 There were none.

21c Exclusion of the Press and Public

21.3 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I of the Act).

21.4 **RESOLVED** - That the press and public be not excluded from the meeting.

22 MINUTES OF THE PREVIOUS MEETING

22.1 **RESOLVED** – That the minutes of the previous meeting held on 24 November 2016 be agreed and signed as a correct record.

23 CHAIR'S COMMUNICATIONS

24 CALLOVER

24.1 **RESOLVED** – That all items be reserved for discussion.

25 PUBLIC INVOLVEMENT

25.1 There were none.

26 MEMBER INVOLVEMENT

26.1 There were none.

27 AMENDMENTS TO THE BLUE HANDBOOK FOR HACKNEY CARRIAGE AND PRIVATE HIRE, DRIVERS, VEHICLES AND OPERATORS

27.1 The Committee considered a report of the Executive Director Neighbourhoods, Communities & Housing that set out a review of byelaws, conditions, advice and information for Hackney Carriage and Private Hire Drivers, Vehicles and Operators contained in the blue handbook (The Blue Book).

27.2 Councillor Page noted his concern that vehicles would no longer be required to carry a spare wheel.

27.3 The Hackney Carriage Officer clarified that newer vehicles no longer carried a spare wheel and instead, a foam filler canister was used in the event of a puncture that allowed a vehicle to continue its journey sufficiently that the tyre could be replaced.

27.4 Councillor Wares noted that due to an unrelated matter, many attendees of the most recent Brighton & Hove Hackney Carriage and Private Hire Consultation Forum had left. Councillor Wares stated that this may have meant the Forum had not been presented the amendments in their current format and there could be uncertainties about the level of engagement and therefore the level of support for the changes. Councillor Wares asked if it might be appropriate for the committee to defer the item to be certain that the consultation was thorough.

27.5 The Hackney Carriage Officer clarified that the proposals had been discussed in December 2016 at the Forum. The Public Health Licensing Lead added that the amendments were mostly minor or legislatively necessary.

27.6 Councillor Simson noted that paragraph 4.1 of the report stated that the amendments had been discussed but the committee had no indication whether the Forum had been in agreement.

27.7 Councillor Deane asked for clarification of whether the proposals had been discussed further.

27.8 The Hackney Carriage Officer replied that the amendments had been circulated to the Forum and discussed at a meeting on 21 December 2016 and two sets of comments had been received from that. Furthermore, the amendments had been emailed to every Forum member with an invitation to comment.

27.9 Councillor Wares moved a motion to defer consideration of the report to the next meeting in order to carry out a further round of consultation with the Brighton & Hove Hackney Carriage and Private Hire Consultation Forum.

27.10 Councillor Bell seconded the motion.

27.11 The Chair put the motion to the vote which failed.

27.12 The Chair then put the recommendations to the report which were approved.

27.13 **RESOLVED-**

- 1) That Committee approve the additions to the handbook contained in (Appendix 1).
- 2) That Committee refuse the alternative livery on Hackney Carriages Operated by Brighton & Hove Streamline as shown in (Appendix 2).
- 3) That Committee agree that Hackney Carriages may display the Operator Name and phone number in Aqua as approved by the Director, providing the name and number is in proportion and does not exceed the corporate logo.

28 HACKNEY CARRIAGE & PRIVATE HIRE DRIVER ENFORCEMENT & MONITORING

28.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing that updated Members on enforcement action taken against Hackney Carriage & Private Hire Drivers and Applicants between November 2016 and February 2017.

28.2 Councillor Wares asked for more information on the action taken on 7 December 2016 for overcharging and the action taken on 4 January 2017 to refuse to renew on the basis of information disclosed on DBS certificate.

28.3 The Hackney Carriage Officer explained that the first instance was overcharging for the number of persons travelling on the taxi and the second was the subject of a magistrate appeal so more information could not be given at this stage.

28.4 Councillor Simson enquired as to how penalties were determined and by whom as in her view, some penalties did not reflect the seriousness of the offence.

28.5 The Public Health Licensing Lead replied that each case was reviewed in a multi-agency meeting that assessed each case individually but also with account of case law and previous examples of similar offences. The final decision on penalties was made jointly by the Trading Standards Manager and himself with advice from legal services.

- 28.6 Councillor Page stated that two cases detailed very serious offences of violence and he was very concerned that lenient penalties had been issued for both. Councillor Page added that he was puzzled that there was not a single case of dangerous driving on the list of actions taken.
- 28.7 The Hackney Carriage Officer stated that the two instances of assault were historic offences and a penalty had been issued as part of a new licence application. In relation to dangerous driving, Sussex Police did not inform the council of offences unless they were serious but offences were picked up on the renewal of licences.
- 28.8 Councillor Russell-Moyle enquired as to who determined the punishment in instances of infringement by other authorities and whether enforcement of taxis based outside the city was based on Brighton & Hove standards or the licensing authority the driver was registered to and if officers were therefore required to know the licensing regimes of neighbouring authorities.
- 28.9 The Hackney Carriage Officer answered that instances of infringement were reported back to the licensing authority the driver was registered to. That did mean that licensing officers were required to be aware of the licensing regimes of the various authorities and this was facilitated very well through close partnership working.
- 28.10 Councillor Russell-Moyle asked if feedback on action taken was provided by other authorities where infringements were reported to them.
- 28.11 The Hackney Carriage Officer answered that no infringements had been reported to other authorities to date.
- 28.12 Councillor Morris asked whether there was an escalation of action in relation to repeat infringements and warning.
- 28.13 The Public Health Licensing Lead confirmed that actions did follow an escalating scale for repeat offences on a case by case basis and this followed Enforcement Policy.
- 28.14 Councillor Deane noted that there had been persistent over-ranking on Surrey Street by taxis queuing to enter Brighton Station that was of great distress to residents and caused severe congestion issues. Councillor Deane asked why no action had been taken on the matter.
- 28.15 The Hackney Carriage Officer stated that this was not an over-ranking issue as the taxi rank at Brighton Station was not an appointed rank and was based on private land and so the queuing on Surrey Street was deemed as waiting to access the Station.
- 28.16 Councillor Deane enquired as to which committee had delegated functions for anti-social behaviour by taxi drivers.
- 28.17 The Public Health Licensing Lead clarified that the Environment Protection Team could address excessive noise issues and anti-social behaviour could be reported directly to Sussex Police as part of its Operation Crackdown policy.

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

29 STREET TRADING – REVIEW OF MOBILE STREET TRADING NEAR SCHOOLS IN BRIGHTON & HOVE

29.1 The Committee considered a report of the Executive Director, Neighbourhoods, Committees & Housing that set out the results of the limited review of all street trading activity within 50m of schools as requested by the Committee at its meeting held in November 2016.

29.2 Councillor Wares stated that whilst not directly related to the report, there was an urgent matter that the committee needed to be made aware of, and review. Councillor Wares noted that current policy meant that mobile stalls were not permitted in the city centre but could be located on the outskirts of the city. Councillor Wares stated that there was currently a mobile stall located directly opposite Hove Town Hall and because the location was just outside the regulated zone, no action could be taken. The stall was neither infrequent nor itinerant and traded in favourable circumstances compared to the local business that had to pay business rates. Councillor Wares supplemented that the mobile stall was parked on double yellow lines which were put into place by the council to prevent obstruction or danger.

29.3 Councillor Wares moved the following motion to add a recommendation 2.3 as shown in bold italics below:

2.3 That the committee requests officers to explore options for a review of the street trading policy with a view to changing the designation of streets in zones A and B and consider options to prevent or restrict traders from trading on yellow lines or otherwise (potentially) contravening any road traffic regulations, and bring a report to the next committee for consideration

29.4 Councillor Bell formally seconded the motion.

29.5 The Public Health Licensing Lead stated that the Licensing team were guided by their colleagues in Highways in relation to parking obstructions and dangers and they had advised that the mobile stall would have been asked to move if it had met this criteria. Conversations between the two regarding parking on double yellow lines were continuing and could be included in any report on options should that be agreed.

29.6 Councillor Morris stated that the list of consultees at paragraph 4.1 of the report appeared odd as it did not include any schools which were the focus of the report.

29.7 The Public Health Licensing Lead clarified that the list at paragraph 4.1 detailed organisations that would be consulted in the case of a wholesale review of policy. The consultation with schools carried out was detailed at paragraph 3.2 of the report.

29.8 Councillor Bell enquired as to the regulations on street furniture in place for mobile stalls.

- 29.9 The Public Health Licensing Lead stated that licenses for street furniture were required and should be produced where challenged to.
- 29.10 Councillor Simson noted that a review of the council's Street Trading Policy had last been undertaken in November 2013 and asked if this was a typical timeframe for a review to be instigated. Furthermore, Councillor Simson enquired as to the difference between a pedlars certificate and a street licence.
- 29.11 The Public Health Licensing Lead answered that there was no statutory obligation to review Street Trading Policy within a certain timeframe and changes were typically made according to circumstance. With regard to pedlars certificates and street licences, the Public Health Licensing Lead explained that the latter were issued by the council and the former were issued by the police according to their own guidelines and case law about how they are issued.
- 29.12 Councillor Simson asked if those issued pedlars certificates were enforced by the police.
- 29.13 The Public Health Licensing Lead stated that the police would lead on enforcement and the council also undertook monitoring activity.
- 29.14 The Chair then put the motion proposed by Councillor Wares to the vote which was carried.
- 29.15 The Chair put the recommendations as amended to the vote which were approved.
- 29.16 **RESOLVED-**
- 1) That the committee notes the contents of this report.
 - 2) That officers should continue to monitor trends of applications/complaints and illegal activity to inform future policy.
 - 3) That the committee requests officers to explore options for a review of the street trading policy with a view to changing the designation of streets in zones A and B and consider options to prevent or restrict traders from trading on yellow lines or otherwise (potentially) contravening any road traffic regulations, and bring a report to the next committee for consideration

30 ITEMS TO GO FORWARD TO COUNCIL

- 30.1 No items were forwarded to Full Council for information.

The meeting concluded at 4.35pm

Signed

Chairman

Dated this

day of

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

Agenda Item 5 (c)

Brighton & Hove City Council

Councillor Phélim Mac Cafferty
Brighton & Hove City Council
Hove Town Hall,
Norton Road,
Hove BN3 3BQ

Geoff Raw - Chief Executive
Brighton and Hove City Council
Hove Town Hall,
Norton Road,
Hove BN3 3BQ

15 June 2017

Dear Geoff,

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Licensing Committee meeting of 29th June 2017.

I write to express my concern at the council's current policy position with regard to on-street trading. I have been in regular contact with residents of Selborne Road in my ward since early January about a particular street trader.

My discussion with my residents echoes the frustration expressed by other Councillors at licensing committee in March. I welcomed the moves at that committee to begin the necessary discussion about a fresh look at street licensing including the new approach outlined viz: *"2.3 That the committee requests officers to explore options for a review of the street trading policy with a view to changing the designation of streets in zones A and B and consider options to prevent or restrict traders from trading on yellow lines or otherwise (potentially) contravening any road traffic regulations, and bring a report to the next committee for consideration."*

I have been in regular contact with residents and raised queries with the city's parking highway, enforcement, environmental health and licensing teams, however nothing has changed sadly. Please find attached Appendix A my email to council officers from 9th March which outlines some of the overarching concerns we continue to have. The same trader has been parked in a pay and display parking zone now for over half a year.

Residents are exasperated by what they see as a faulty policy framework with little or no effective enforcement mechanisms. The trader in question is trading at all times of the day and night; is causing nuisance in parking for weeks at an end- without the trading receptacle being removed from the trading site at the end of each trading day; and further has taken no effort to provide for collection of rubbish. They have been able to do this because of the lack of clarity over zoning including the attitude of enforcing officers to the edge of the zone.

Tel: 01273 291357

Email: phelim.maccafferty@brighton-hove.gov.uk

Green Councillor for Brunswick & Adelaide Ward with Councillor Ollie Sykes

I have a number of outstanding questions around the policy:

- What evidence is currently required by council officers to demonstrate compliance with policy?
- What monitoring is undertaken about street traders complying with policy in Zone A?
- Under the existing policy is there a provision for rejection of street traders if they continue to cause problems for residents as outlined in the street trading policy? http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/docforms/STREET%20TRADING%20POLICY_0.pdf

In the circumstances I would argue the licensing authority should now consider much more robust policy which will be fairer for all- residents as much as street traders. At the very least it should include:

- Consideration of Zone A expansion;
- Or, at the very least, clearer policy for the edge of Zone A;
- Tougher rules and much clearer enforcement mechanisms for traders unprepared to follow policy, including transparent warning signals.
- Changing the designation of streets in zones A and B;
- Consideration of options to prevent or restrict traders from trading on yellow lines and contravening any road traffic regulations.

I would appreciate your response on this matter.

Yours sincerely



Councillor Phélim Mac Cafferty

Green Party Councillor for Brunswick and Adelaide
Convenor of the Green Group of Councillors, Brighton and Hove City Council
Green Group Spokesperson on the Policy and Resources Committee and Planning Committee
p: 01273 291357
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Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

Appendix A

From: Phelim MacCafferty
Sent: 09 March 2017 4:11 PM
To: Charles Field; Mark Savage-Brookes; Paul Nicholls; Jim Whitelegg
Cc: Ollie Sykes
Subject: Selborne Rd trader

Dear all

Thank you for all of the work that you have done on resolving the many questions and points that have been raised. I continue to get correspondence on the matter and would appreciate your assistance with some remaining queries below.

On 15th January the van was first spotted. It is now almost two whole months later. The van is operating just on the very edge of the prohibited zone A- a few feet the other side of the demarcation line in Church Road flies in the face of the purpose of having zones. The policy states that in the City Centre trading is allowed between 8 am – 6pm and in Zone B there are no times set so I would assume that because of the proximity to Zone A the trader would be bound to the 8am- 6pm hours. They clearly are operating at all hours of the day, evening and night- and that has been evidenced by residents as well as Councillors.

The regulation of street trading covers infrequent and itinerant trading. This trader has been parked in the same road for two months- this is neither infrequent or itinerant. The van is parked in a pay and display parking zone and on a double yellow line. There has been one notice served but otherwise no action taken against them.

In relation to the council's [policy](#):

- Consent holders shall be fit and proper, the activity will cause no danger, obstruction, **nuisance or annoyance to people in the vicinity** and will leave 2m unobstructed footway.
- Preference will be given to existing traders at existing sites at renewal.
- Traders will ensure suitable refuse storage and remove refuse at the end of trading (with the exception of Upper Gardner Street).
- Traders will wear identity badges issued by the Council.

In relation to all of these points, I would argue the trader is in violation of all of these areas of the council's policy. I have had several pieces of correspondence from residents talking especially about the smell / odour from the van which is causing annoyance too.

Further

*The Trader shall not stand or use any stall, barrow, basket, vehicle or other receptacle in any street except such as are specified in the consent. **Such trading receptacle, including vehicle shall be removed from the trading site at the end of each trading day;***

--This is not happening

The Trader shall not sell, expose or offer for sale any articles on days or at times other than those specified in the consent.

--hours for the trader are not clear and not therefore regulated

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.

--there is ample evidence of rubbish from the trader

A vehicle carrying a Residents permit should have a maximum height of 2.25 metres and a maximum length of 6 metres. The vehicle in question debatably needs a trader permit. Nowhere in the conditions is it stated that the mis-use of parking permits can be used to contravene the Street Trading Policy. The trader is permanently occupying a whole parking bay which in an area of huge parking stress is causing residents considerable annoyance.

Can you bring us up to speed on where we stand with all of these points please.

Thank you.

Yours sincerely

Councillor Phélim Mac Cafferty

Green Party Councillor for Brunswick and Adelaide

Convenor of the Green Group of Councillors, Brighton and Hove City Council

Green Group Spokesperson on the Policy and Resources Committee and Planning Committee

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a: Hove Town Hall, Norton Road, Hove BN3 3BQ

t: @phelimmac

w: <http://www.brighton-hove.gov.uk>

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

NOTICE OF MOTION

**GREEN GROUP
CLEANER AIR**

This council notes the damaging effects of diesel engine emissions to people's health and to the environment and would welcome accelerating initiatives that will reduce this harm and lead to cleaner air. This council resolves to:

- 1) Request the Environment, Transport & Sustainability Committee to call for a report taking into consideration;
 - Whether it would be possible to follow the example of Westminster City Council and introduce visitor parking differentials to incentivise diesel vehicle drivers not to enter the highest polluted areas of the city;
 - Options to enforce the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 in relation to vehicle idling offences;
- 2) Request the Licensing Committee to consider calling for a report detailing the options to ensure that all new taxi licences issued under the council's policy of managed growth are for low emission vehicles only, and that all replacement taxis are low emission vehicles;
- 3) To facilitate (2) above, this council requests the Chief Executive to write to Business Secretary, Greg Clark, requesting that financial assistance be made available to taxi drivers switching to more environmentally friendly vehicles, as announced at the recent opening of the new London Taxi Company factory in Coventry.

Proposed by: Councillor Deane

Seconded by: Councillor Sykes

Supported by: The Green Group of councillors

Supporting Information:

- (i) Across the UK air pollution is estimated to cause 40,000 deaths each year. Nitrous Oxide, Sulphur Dioxide, Particulate Matter and NOx gases (Nitrous Oxide, Nitric Oxide, and Nitrogen Dioxide) emitted from diesel exhausts exacerbate conditions such as bronchitis, lung cancer and asthma. On 16th May 2016, Brighton was one of 40 cities named by the World Health Organisation as having breached air pollution levels.
- (ii) <https://www.westminster.gov.uk/trial-diesel-based-parking-surcharge-low-emission-Neighbourhood>
- (iii) Stationary idling is an offence under section 42 of the Road Traffic Act 1988. The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations (2002) gives local authorities the right to issue fixed penalty notices of £20 to drivers who ignore a

**LICENSING COMMITTEE
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2003 FUNCTIONS)**

Agenda Item 5 (d)

Brighton & Hove City Council

request to switch their engine off. According to Confused.com, idling costs drivers approximately £100 per year (<https://www.confused.com/on-the-road/driving-law/stopped-parked-engine-running-idling-breaking-law-police-fine>).

Islington Council has been enforcing the regulations since 2006 (https://www.islington.gov.uk/environment/sus_pollute/air_quality/vehicle-air-pollution)

LICENSING COMMITTEE (NONLICENSING ACT 2003 FUNCTIONS)

Agenda Item 6

Brighton & Hove City Council

Subject:	Street Trading Policy Review		
Date of Meeting:	29 June 2017		
Report of:	Director of Neighbourhoods, Housing and Communities		
Contact Officer:	Name:	Jim Whitelegg	Tel: 01273 292438
	Email:	Jim.whitelegg@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1. The Council's Street Trading Policy was set by Members at Licensing Committee after extensive consultation in November 2009 and was last considered at Licensing Committee on the 21st November 2013. At the November 2016 Licensing Committee (Non-Licensing Act 2003) considered a report of the Executive Director, Neighbourhoods, Committees & Housing that set out the results of the limited review of all street trading activity within 50m of schools as requested by the Committee at its meeting held in November 2016. The committee noted the contents of this report, recommending that officers should continue to monitor trends of applications/complaints and illegal activity to inform future policy.
- 1.2. Furthermore, the committee requested officers to explore options for a review of the street trading policy with a view to changing the designation of streets in zones A and B and consider options to prevent or restrict traders from trading on yellow lines or otherwise (potentially) contravening any road traffic regulations, and bring a report to the next committee for consideration.
- 1.3. This request primarily relates to councillor/resident/business enquiries into two mobile traders with Zone B permits trading close to the Zone A boundary of Church Road, Hove. One trader is trading on double yellow lines and the other is trading from a residents parking bay.

2. RECOMMENDATIONS:

That the Committee notes the contents of this report and decides which of the following options (if any) to ask officers to initiate consultation on in order to change the Street Trading Policy.

- 2.1. Consult on amending conditions so that trading cannot take place on yellow lines and/or otherwise contravene TROs (Traffic Regulation Orders) including parking restrictions. Legislation allows for the Council to vary the conditions of a street trading consent as they consider reasonably necessary.

Conditions may specify trading time limits on yellow lines or parking restrictions, e.g. 30 minutes.

- 2.2. Consider re-designating some of the streets in Zones A & B. This would require a wholesale review of the policy with statutory provision to consult. A firm proposal with rational and identification of proposed consent streets to become prohibitive streets would be needed to go out to consultation. Therefore, resolve to set up a officer and member working group to consider this.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

Current street trading process

- 3.1. The city centre streets, with a few exceptions, are prohibited streets. There are five static pitches within the City Centre (Zone A), mainly off Western Rd Brighton (Castle Street, Clarence Square, Dean Street, Crown Street and Marlborough Street) where trading is permitted. Outside of the city centre (Zone B), traders with a consent can trade on the highway, providing they are not causing a nuisance, obstruction or danger to the public. The Council's street trading policy can be found from the following link <http://www.brighton-hove.gov.uk/content/business-and-trade/licensing-and-gambling/street-trading> and in Appendix A, which sets out in a table the type of trading permitted in certain areas of the city.
- 3.2. The Seafront area including Grand Junction Road and Kings Road is designated a consent street but is outside the trading policy established by the Council and control of that area is the responsibility of the Seafront Office.
- 3.3. Officers in Environmental Health and Licensing issue permits for street trading. Any appeals against officer's decisions are heard by the Licensing Committee (Non-Licensing Act 2003).
- 3.4. A street market is held each Saturday in Upper Gardener Street between the hours of 07.00 and 17.00. Occasional markets are held in Bartholomew Square and George Street Hove. New Road and Black Lion Street in Brighton need to be authorised for street markets.
- 3.5. Street artists and hot chestnut sellers are permitted to operate in East Street, Duke Street, Bartholomew Square and Market Street.
- 3.6. Ice cream and burger vans are issued permits by the Licensing Team giving them consent to trade as "Mobile Street Trading". This is allowed in Zone B (outside of the city centre), with the exception of Parks & Gardens and within 1 mile of the Falmer Community Stadium therefore it gives mobile trading a wide area to trade from. There are no stipulations of roads but only that trading takes place within Zone B in accordance with the Street Trading Policy. We have 18 Zone B permits currently issued.

- 3.7. There are areas throughout the city in which street trading is prohibited. These areas are generally main thoroughfares or areas in the city centre and run from the western boundary of Brighton & Hove in Vale Road, Portslade, along Portland Road, Sackville Road, Church Road, Western Road, Montpelier Road, Chatham Place, Viaduct Street, Upper Lewes Road, then southwards down Lewes Road, Albion Street and Grand Parade before heading East along Edward Street, Eastern Road and finishing in Arundel Road. Street trading is also prohibited within 1 mile of the Community Stadium, but excluding council owned public spaces, which would remain undesignated.
- 3.8. The table in Appendix B lists the Zone A & B traders. We currently have 17 year round Zone B traders and 6 seasonal (ice cream traders). Of the 17 year round Zone B traders, 7 tend to trade on yellow lines or resident/display parking bays.

Commentary on street trading policy

- 3.9. Historically, parks have remained undesignated to allow Leisure officers flexibility in permitting outdoor events. The Seafront has been a consent street managed on a day to day basis by Seafront officers. Economic development members and officers are considering corporate market policies and officers are working to ensure corporate market policies and street trading policy work in harmony.
- 3.10. For members assistance and as reported last time:

The regulation of street trading by consents covers infrequent, itinerant trading. There is no right of appeal against refusal and so it is vital that licensing authorities behave in a fair and reasonable manner. An established street trader would have a reasonable expectation that his/her consent would continue. Street trading consent regulations' primary purpose is to prevent obstruction of the street or danger to persons using it, or nuisance or annoyance to people using the street or otherwise.

Street trading is selling articles on the street, including exposing or offering articles for sale. It does not include provision of services, like henna tattooing, hair braiding, tarot reading etc.

The following activities are not subject to street trading controls:

- Pedlars, with a pedlar's certificate issued by the Police under the Pedlars Act 1871. These are itinerant traders.
- Markets covered by enactment or order (ancient – none in Brighton & Hove)
- Trunk road picnic areas (none in Brighton & Hove)
- News vending
- Trading at petrol filling station

- Trading on the street adjoining a shop as part of the business of the shop
- Selling things on a round like milk doorstep delivery
- Objects on a highway licensed under highways legislation, like tables and chairs or A boards
- Recreation or refreshment facilities licensed under highways legislation
- Charitable street collections which are subject to separate permissions
- Controls only apply to the street or other public places.

3.11. Legal position - consents could include conditions that trading cannot take place on yellow lines and/or contravene TROs that are in place. Advice is based on the provisions of the Local Government (Miscellaneous Provisions) Act 1982. Schedule 4 of this Act deals with the issue of street trading licences and consents and includes the following powers:

a) Schedule 4, paragraph 7(4) provides that when granting or renewing a street trading consent the council may attach such conditions to it as they consider reasonably necessary.

Paragraph 7(5) states that without prejudice to the generality of (4) above, the conditions that may be attached to a street trading consent include conditions to prevent:-

- (a) Obstruction of the street or danger to persons using it
- (b) Nuisance or annoyance (whether to persons using the street or otherwise)

The Council may at any time vary the conditions of a street trading consent

It seems to be a reasonable condition to require street traders to comply with existing TROs; arguably to allow trading on double yellow lines for any length of time thwarts the purpose of the making of the TRO.

The consents could be issued with the condition that they are subject to any traffic regulation orders which would include single and double yellow lines, resident bays and pay and display bays.

3.12. Highways have indicated that they would support no trading on yellow lines.

3.13. A summary of complaints/enquires relating to street trading over the last 3 years is detailed in the table below.

Complaints	Illegal	Obstruction	Noise/Odour/Litter	App Enquiries	Misc	Schools
2016-2017	16	11	4	10	8	2
2015-2016	13	8	0	21	16	1
2014-2015	16	14	3	13	22	0

The figures include complaints relating to Upper Gardner and George Street markets. The complaints about obstruction relate to traders obstructing the

highway, pavements, parking bays or blocking access for residents/businesses and cycle lanes.

Where a trader is found to be causing a nuisance, obstruction or danger to the public the licensing team will consider revoking the street trading permit.

- 3.14. Changing the Street Trading Policy by re-designation of streets is subject to a statutory procedure which would require an extensive consultation exercise which would have resource implications and there would need to be valid grounds for triggering such a review. The basis for such change would need to be appropriate and lawful. The statutory scheme or imposition of conditions cannot be used to achieve an ulterior motive or aim outside the purpose of the enabling legislation. Concerns to protect existing businesses on Church Road may come within this category.
- 3.15. Varying the conditions of street trading consents is not subject to a set statutory process but consultation should be undertaken with existing traders and other relevant bodies such as the Highway authority.

4. CONSULTATION

The nature and extent of the consultation would depend on the change proposed and those affected, namely a wholesale review or varying conditions.

- 4.1 If the Committee decide that street trading should be reviewed, a full and measured consultation should involve residents (via the council's website), residents associations and Community Associations including the North Laine Community Association, businesses (including individual street traders) in Brighton & Hove, Police and Highway Authority, Economic Development and Regeneration regarding the corporate markets policy, Tourism, Events Office, Seafront Office (including Seafront Trader Association), Trading Standards, City Clean, Legal, Finance, Ward Councillors, City Centre and Hove Business Fora, Trader Associations including North Laine Traders Association, Upper Gardener Street Traders Association, Brighton & Hove Albion Football Club, and the Education Authority (Children's Trust).

5. FINANCIAL & OTHER IMPLICATIONS:

- 5.1 Financial Implications:

Street Trading fees are set at a level that officers reasonably believe will cover the costs of administering the service. Fees are set as part of the annual Council budget setting process. Any costs associated with the Street Trading Policy will be met from within existing Licensing budgets. The costs of a consultation exercise would depend on the extent of the review. The majority of costs would relate to staff time, although there may be some other stationary, travel and printing costs. All costs would need to be managed from current licensing budget resources. Therefore this needs to be a

consideration when deciding on the level of consultation to avoid a service pressure arising on this budget.

Finance Officer Consulted: Monica Brooks Date: 08/06/17

5.2 Legal Implications:

Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 enables a district council in England and Wales to adopt a code for the regulation and control of street trading within its area and the Council has adopted Schedule 4 of the Act which governs street trading. Schedule 4 permits the Council to designate by resolution streets as prohibited, licence or consent streets. There is no obvious mechanism for creating exclusion zones, but part of a street could be re-designated a prohibited street. There is a statutory procedure for this involving publication of a notice in a newspaper and inviting representations which must then be considered. There should be good justification for changing the designation of streets. Reasons that are outside the purpose of the enabling legislation would be open to challenge. Challenge might reasonably be expected from those adversely affected by changes to street designation both on administrative law and human rights grounds.

Lawyer Consulted: Rebecca Sidell Date:

5.3 Equalities Implications:

Diversity is valued and strong, safe communities are vital to future prosperity.

5.4 Sustainability Implications:

Some street trading supports recycling of goods. Farmers markets may reduce "food miles".

5.5 Crime & Disorder Implications:

Transparent, proportional street trading controls minimise danger of obstruction and nuisance. Street trading can be a source of stolen or counterfeit goods.

5.6 Risk and Opportunity Management Implications:

Street trading is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

5.7 Corporate / Citywide Implications:

Street trading represents some traditional, historic heritage

SUPPORTING DOCUMENTATION**Appendices:**

Appendix A – Council's Street Trading Policy

Appendix B – Spreadsheet of Zone A&B traders as of May 2017

Documents In Members' Rooms:

None

Background Documents:

None

STREET TRADING POLICY

Consent Street	Purpose
Zone A	
City Centre Static consent sites (Dean Street, Marlborough Street, Castle Street, Crown Street, Western Road, Clarence Square)	General trading
Upper Gardner Street	Saturday market
Dukes Street, Market Street	Hot chestnut and other traditional Christmas trading activity
East Street, Dukes Street, Market Street, George Street Hove	Street artists who produce portraits on the street
George Street Hove, Black Lion Street, New Road Jubilee Street	Occasional markets including ethnic, farmers and crafts etc.
Zone B	
Area outside city centre	Mobile and static traders, both as regular occupation and community events and markets

Streets south of Vale Road, Portslade, along Portland Road, Sackville Road, Church Road, Western Road, Montpelier Road, Chatham Place, Viaduct Street, Upper Lewes Road, then southwards down Lewes Road, Albion Street and Grand Parade before heading East along Edward Street, Eastern Road and finishing in Arundel Road and streets within 1 mile radius from the new Falmer Community Stadium shall be prohibited streets with the exception of Kingsway, Kings Road and Seafront, Castle Street, Clarence Square, Crown Street, Dean Street, Marlborough Street, Western Road, Upper Gardner Street, Bartholomew Square, George Street Hove, New Road, Black Lion Street, Jubilee Street, East Street, Duke Street, and Market Street which shall be designated consent streets, and the Council's Parks and Gardens which shall be undesignated.

Streets North of Vale Road Portslade and along Portland Road, Sackville Road, Church Road, Western Road, Montpelier Road, Chatham Place, Viaduct Street, Upper Lewes Road, then southwards down Lewes Road, Albion Street and Grand Parade before heading East along Edward Street, Eastern Road and finishing in Arundel Road shall be consent streets, except that the Council's Parks and Gardens will be undesignated.

Clarification

Times of trading:

Upper Gardner Street	7am – 5pm
City Centre	8 am – 6pm
Zone B	No times set

- A waiting list will be administered where sites or types of street trading are oversubscribed.
- There will be no transfer of consents, no joint consents, preference will be given to local residents and consents will be issued not exceeding 12 months.
- Consent holders shall be fit and proper, the activity will cause no danger, obstruction, nuisance or annoyance to people in the vicinity and will leave 2m unobstructed footway.
- Preference will be given to existing traders at existing sites at renewal.
- Traders will ensure suitable refuse storage and remove refuse at the end of trading (with the exception of Upper Gardner Street).
- Traders will wear identity badges issued by the Council.
- Traders will take reasonable fire safety measures.
- Consent will only be issued following receipt of appropriate fee. Fees shall be payable quarterly.
- If the site is temporarily unavailable, it will be relocated to a nearby site or suspended and a proportion of the fee remitted.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 :
STANDARD CONDITIONS FOR STREET TRADING

- A. The consent may not be transferred and the Trader shall not permit any person to exercise the consent in his/her absence unless that person is employed by the consent holder and is at least seventeen years of age. The consent holder shall not employ more than two persons at any one time to exercise the consent in the absence of the holder and any contravention of the standard conditions forming part of the consent by these persons shall be deemed to have been committed by the consent holder.
- B. The Trader shall not stand or use any stall, barrow, basket, vehicle or other receptacle in any street except such as are specified in the consent. Such trading receptacle, including vehicle shall be removed from the trading site at the end of each trading day
- C. The Trader shall not sell, expose or offer for sale any articles on days or at times other than those specified in the consent.
- 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).
- 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. In Upper Gardner Street in lieu of this condition being complied with the Council will offer a refuse collection service upon payment of an appropriate fee.
- F. The Trader shall operate in a manner which causes no nuisance to the Council or to the general public.
- G. The Trader shall at all times whilst trading wear in a prominent position an identity badge provided by the Council. In addition, for town centre street trading consents, the consent, or copy thereof, shall be displayed on the stall/mobile vehicle.
- H. The Trader shall be insured against any claim in respect of third party liability whilst trading under a consent. No consent will be issued until a current policy has been produced to the Director of Environment and the Trader shall produce evidence of such insurance to an authorised officer of the Council within seven days of the officer's request.
- I. Where there is a potential ignition source present including cooking facilities, a 2kg dry powder extinguisher which complies with the standards set out in BS 5423: 1987 must be provided.
- J. Where hot fat cooking facilities are provided a fire blanket should be provided and so positioned as to allow the blanket to be withdrawn easily and quickly.
- K. Streets within 1 mile from Falmer Community Stadium shall be prohibited streets.

GUIDELINES ON THE RELEVANCE OF CONVICTIONS

General Principles:

1. Each case will be decided on its own merits.
2. A person with a current conviction for serious crime need not be permanently barred from registration but should be expected to remain free of conviction for 3 to 5 years, according to the circumstances, before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration should be the protection of the public.
3. The following examples afford a general guide on the action to be taken where convictions are admitted:

Offences involving violence

- It is imperative that applicants with convictions for offences involving violence are considered carefully. When applicants have convictions for causing grievous bodily harm, wounding or assault, or even more serious offences involving violence, at least five years should elapse before an application is considered.

Drug- related offences

- An isolated conviction for a drug offence, whether for unlawful possession only or involving the supply of controlled drugs, need not necessarily debar a candidate from registration, provided the applicant has at least three years free of convictions or five years since detoxification if he/she was an addict.

Indecency offences

- Applicants with recent indecency offences would normally be debarred.

Dishonesty

- Convictions for isolated minor offences should not debar an applicant, but in cases involving serious theft or fraud at least three years should elapse before an application is considered. When offences of dishonesty have been accompanied by violence, it is suggested that at least five years should elapse before registration.

Zone A	Trading Name	Yellow lines/resident parking
Castle Street (no cooking)		
Clarence Square		
Malborough Street		
Crown Street (no cooking)		
Dean Street		
Zone B		
Hangleton Link Rd	Flowers	In layby
Hangleton Link Rd	Fast Food	In layby
St Joseph's Close	Fast Food	In bay no markings
Sutherland Rd	Fast Food	Think they are in a parking bay there
Newtown Road	Fast Food	Parked on road no markings at all or yellow lines opposite the Garage Door Company
John Street	Fast Food	double yellow lines
By Asda Hollingbury	Fast Food	Parked up on road
Goldstone Crescent	Ice Cream	Double Yellows or Residents parking bay
Goldstone Crescent	Fast Food	Resident parking bay
Conway St	Fast Food	Resident/Display parking bay
Selbourne Road	Fast Food	Resident parking bay
Norton Road	Fast Food	Double yellow lines opposite HTH
Hove Park, Goldstone Crescent	Fast Food	time restricted parking bay - no charge
Events/Festivals	Fast Food	Events/Festivals
various		N/A
Exeter Street/Preston Park train station	Fast Food	double yellows
various	Icecream	N/A
Ice Cream		Seasonal - various
Ice Cream		Seasonal - various
Ice Cream		Seasonal - various
Ice Cream		Seasonal - various
Ice Cream		Seasonal - various
Ice Cream		Seasonal - various

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:	29 June 2017		
Report of:	Director of Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	<i>Martin Seymour</i>	Tel: 29-6659
	E-mail:	martin.seymour@brighton-hove.gcsx.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 February 2017 and June 2017.

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 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 effected by means of action taken against the licence held by the person who has transgressed.
- 3.2 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 Councils [Licensing Enforcement Policy](#).
- 3.3 The Council is in the process of approving authorisations for Officers from other Local Authorities so that they may enforce their licensed vehicles and drivers operating in Brighton and Hove. Joint authorisations will also enable Brighton & Hove enforcement officers to take action against vehicles from other areas operating within Brighton & Hove. Officers are already authorised to enforce Brighton & Hove vehicles in the districts of Adur & Worthing. Officers from Horsham and Crawley are also authorised to enforce Brighton & Hove Vehicles.

- 3.4 Enforcement Action has been taken regarding licensed vehicles from other areas parking on ranks and further action may be taken by the relevant local authority with regard to where the vehicle is predominately working.
- 3.5 On the 26th May, legal and licensing council officers, as well as the Chair of Licensing met with representatives from Transport for London (TfL). The meeting was positive and TfL recognised the difficulties we are facing locally regarding out of town drivers operating in the City. Both parties recognised the constraints we face with current legislation that leaves us with limited options to address these concerns.

TfL have taken advice regarding operating an “intended use” policy and as a result would not pursue such a policy as they do not believe it would be legal. Of the 125K private hire drivers TfL licence, about 20k live/work beyond the Home Counties. TfL are lobbying for a change of legislation for journeys to either start or finish in the licensed area (return to area policy). Most of TfL’s joint enforcement work is centred around transport hubs, e.g. airports/major train stations. They would welcome a national database but unlikely to support joint authorisation.

However, TfL have agreed to undertake some joint enforcement operations in Brighton & Hove and that any particular concerns about TfL drivers in the City, where there is clear evidence of breaches, should be forwarded onto TfL.

As a result of the meeting we are better placed to share information. TfL and BHCC, together with other local authorities and the Local Government Association, are lobbying for a change to legislation to address the issue of “out of town” private hire vehicles operating predominantly in any area regardless of where they are licenced.

- 3.6 On the 9th May the Magistrates dismissed an appeal by a driver against the decision not to renew his licence because of historic sexual activity and awarded the Council £2500 in costs.
- 3.7 The following actions were taken against drivers / applicants between 23 February 2017 and 30 May 2017

	Licence Type	Date	Action	Reason
1.	Hackney Carriage and Private Hire Dual Licence	23.02.2017	Warning	Inappropriate Sexual Conversation
2.	New Applicant	23.03.2017	Warning	Previous Caution for Drug Offence
3.	Hackney Carriage and Private Hire Dual Licence	30.03.2017	8 Week Suspension	Regarding Conduct and Homophobic Abuse
4.	Private Hire Vehicle Licence	10.04.2017	Revocation	Non-payment of Licence Fee
5.	Hackney Carriage Driver Licence	10.04.2017	Revocation	Non-payment of Licence Fee

6.	Hackney Carriage Driver Licence	10.04.2017	Revocation	Non-payment of Licence Fee
7.	Hackney Carriage Driver Licence	10.04.2017	Revocation	Non-payment of Licence Fee
8.	Hackney Carriage Driver Licence	10.04.2017	Revocation	Non-payment of Licence Fee
9.	Private Hire Vehicle Licence	10.04.2017	Revocation	Non-payment of Licence Fee
10.	Hackney Carriage and Private Hire Dual Licence	17.05.2017	Warning	Coercive and controlling behaviour, alleged assault disclosed on DBS check
11.	Hackney Carriage and Private Hire Dual Licence	22.05.2017	Application refused	Applicant does not meet DVLA Group 2 Medical Standard
12.	Hackney Carriage and Private Hire Dual Licence	23.05.2017	Warning	Previous Cautions for Drug Offences and Obstruction
13.	Private Hire Driver Licence	30.05.2017	Simple Caution	Acting as a Driver of a Hackney Carriage Without First Obtaining a Licence
14.	Hackney Carriage and Private Hire Dual Licence	13.06.2017	Revocation	Allegation of Sexual Assault
15.	Private Hire Driver Licence	13.06.2017	Refusal	Applicant does not meet DVLA Group 2 Medical Standard
16.	Hackney Carriage and Private Hire Dual Licence	16.06.2017	Suspension	Medical Condition meaning driver does not meet DVLA Group 2 Medical Standard

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: 16.06.2017

Legal Implications:

5.2 There are no direct legal implications.

Lawyer Consulted: Rebecca Sidell

Date: 16.06.2017

Equalities Implications:

5.3 None.

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.