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MEETING	LICENSING & REGULATORY COMMITTEE
DATE	2 NOVEMBER 2007
PRESENT	COUNCILLORS GILLIES (CHAIR), HORTON, MOORE (VICE-CHAIR), B WATSON AND ORRELL (SUBSTITUTE)
APOLOGIES	COUNCILLOR HYMAN

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## 5. DECLARATIONS OF INTEREST

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on the agenda.

Councillor Moore declared a personal non-prejudicial interest in agenda item 5 (Sale of Counterfeit Goods in York Market) as he had chaired a recent environment appeal where this subject had been raised.

Councillor Gillies declared a personal non-prejudicial interest in agenda item 5 (Sale of Counterfeit Goods in York Market) as he was a member of the environment appeal panel where this subject had been raised.

Councillor B Watson declared a personal non-prejudicial interest in agenda item 5 (Sale of Counterfeit Goods in York Market) as he was a member of the environment appeal panel where this subject had been raised.

Councillor Gillies declared a personal non-prejudicial interest in Agenda Item 8 (Hackney Carriage Vehicle Licences) as he was a former holder of a hackney carriage plate.

## 6. MINUTES

RESOLVED: That the minutes of the meeting held on 8<sup>th</sup> June 2007 be approved and signed as a correct record.

## 7. PUBLIC PARTICIPATION

It was reported that there had been three registrations to speak on Agenda item 8 (Hackney Carriage Vehicle Licences) under the Council's Public Participation Scheme.

Mr Rowley, the secretary of the York Taxi Association, reported that the local taxi trade felt that there were sufficient cars in the City already and hoped that the results from the proposed rank queue survey would prove this.

Mr Robertson, Vice-Chair of the York Taxi Association, said that the taxi trade in York were united against deregulation. He said that the York Taxi

Association were not opposed to change but change had to bring about improvement.

Mr Hatfield from Station Taxis felt that the present traffic congestion within the City needed to be alleviated before any more vehicles were introduced. He also reported that there was not enough rank space for extra taxis.

## **8. REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS**

Members considered a report that informed them of a review of polling districts, polling places and polling stations carried out in the city council area in response to legislation introduced by the Electoral Administration Act 2006. The Act introduced a duty on all local authorities to carry out a review of polling districts, polling places and polling stations in their area by the end of 2007 and to carry out such a review every four years.

Following public consultations representations had been received on the following points:

- To move all of Severus Avenue into the same polling district.
- York Older People's Assembly requested that all polling stations and places are easily accessible both now and in the future for those with physical disability or mobility difficulties.

Members were presented with the following options:

- Option 1** Alter the polling district boundary between polling districts GA and GB so that all of Severus Avenue is located in polling district GB.
- Option 2** Not to make any alterations to the polling district boundary between polling districts GA and GB.

**RESOLVED:** That Option 1, to alter the polling district boundary between polling districts GA and GB so that all of Severus avenue is located in polling district GB be approved.

**REASON:** In order to provide consistency in polling arrangements for the electors in Severus Avenue.

## **9. SALE OF COUNTERFEIT GOODS IN YORK MARKET**

Members considered a report that reported on the availability of counterfeit goods on York market and the procedures in place to tackle this.

The Trading Standards Manager reported that the City of York Council's Trading Standards Service enforced legislation aimed at tackling the sale of counterfeit goods in the city. The types of counterfeit goods that has been found within the city included:

- Discs containing feature films
- Computer games and programmes
- Designer jewellery, clothing and handbags.

Trading Standards Officers visited York Market everyday for a period of one week during the summer posing as ordinary customers. They purchased any items that they considered may be counterfeit. Six items were purchased from five different stalls and only one of these is the subject of further investigation by Officers.

Members were presented with the following options.

**Option 1** To conduct further enforcement at York Market as part of a specifically planned project.

**Option 2** To conduct further enforcement activity based on information and intelligence received into the service as part of normal service planning requirements.

**RESOLVED:** That option 2, as set out above, be adopted in relation to future enforcement activity towards counterfeit goods at York Market.

**REASON:** So that Officers can continue to monitor intelligence about the sale of goods at the market without any additional impact on work planning. The Council will also continue to meet the legal duties under the Copyright Design and Patents Act 1988 (as amended).

**10. IMPENDING CHANGES TO THE LAW RELATING TO CONTRACT HIRE VEHICLES - REPEAL OF SECTION 75 (CONTRACT EXEMPTION) BY SECTION 53 ROAD SAFETY ACT 2006**

Members considered a report that informed them of the impending legislative amendment to the Local Government (Miscellaneous Provisions) Act 1976, which currently allows vehicles to be used on contract hire without the vehicle or driver being licensed by the local authority.

Currently in England and Wales (but not in London) vehicles, drivers and their operators are exempt from the requirement to be licensed for private hire usage if they are used for contracts lasting not less than seven days, this may include a contract to convey children to school or persons to hospital on a regular basis. Ministers recognised that this posed a significant safety risk and so decided that from January 2008 this exemption will no longer be available. The types of vehicles affected by the new legislation might include hospital cars, airport transport services, hotel cars and stretch limousines.

The Licensing Manager reported that the local authority was still awaiting extra guidelines on which types of contract and vehicle would be affected.

Some Members had particular concerns regarding the safety of stretched limousines and felt that they should be regulated.

**RESOLVED:** That the repeal of Section 75 of the Local Government (Miscellaneous Provisions) Act 1976 by Section 53 of the Road Safety Act 2006 and the actions identified in the report be noted.

**REASON:** To keep Members apprised of legislative changes and the demands on staff resources.

## **11. HACKNEY LUGGAGE VEHICLE CONDITIONS**

Members considered a report that asked them to set a minimum luggage capacity for hackney carriages and sought clarification of the minute relating to emission standards approved by this committee at its meeting on 8 June 2007.

**RESOLVED:**

- That the amendment to the minute of the meeting of this committee held on 8 June 2007 be amended to read:
  - *As of 1<sup>st</sup> June 2008 all vehicles when presented for re-licensing must meet at least Euro II standards.*
  - *No new vehicle will be first licensed unless it meets Euro III standards or better after 1<sup>st</sup> June 2008 (this includes change of vehicle).*
- That the licensed vehicle shall have a luggage space, separate from the passenger compartment, which is capable of holding at a minimum two suitcases, a large one measuring 720mm x 460mm x 280mm and a medium one 660mm x 430mm x 280mm and a folded wheelchair (not at the same time). This condition shall not apply to vehicles already licensed by this Council.

## **12. HACKNEY CARRIAGE VEHICLE LICENCES**

Members considered a report that sought Member's consideration of the council's policy to limit the number of hackney carriage licences it issues. The report advised Members of the Government's Action Plan for Taxis and Private Hire Vehicles, the work completed since the previous reports in September and November 2005 and the consultation that has been carried out.

Members asked the Head of Licensing and Bereavement Services how many ranks there were in the city centre and how many parking spaces for vehicles at each of these there were. He reported the following:

<b>Rank</b>	<b>Number of Vehicle spaces</b>	<b>Status</b>
<b>City Centre Ranks</b>		
St Saviourgate	12	Full time
St Leonard's Place	4	Full time
Queen Street	4	Full time
Tower Street	4	Full time
The Crescent	1	Full time
Duncombe Place	8	Part time
Clifford Street	4	Part time
Micklegate	3	Part time
Toft Green	4	Part time
Exhibition Square	4	Part time
Piccadilly	4	Part time
Rougier Street	4	Part time
Racecourse	12	Race days only
<b>Non City Centre Ranks</b>		
Haxby	3	Full time
Clifton Moor	4	Full time
New Earswick	3	Full time

It was noted that the taxi rank at York Station was a privately owned rank and could hold 12 waiting vehicles at any one time. A feasibility study regarding the location of a taxi rank in St. Sampson's Square was to be undertaken.

Members agreed that some relaxation on the number of hackney carriage licences issued would be beneficial.

**RESOLVED:** That Members approved the recommendations of the Executive Member for City Strategy as set out below and an additional recommendation regarding 'novel forms of transport':

- (i) That a rank queue survey be conducted and repeated at least every two years in order to monitor the level of unmet demand.
- (ii) Approve Option d, to issue a limited number of new hackney carriage vehicle licenses each year until market demand regulates the number of licences issued but subject to a review after 2 years on the effects of any increase in numbers.
- (iii) That Officers be asked to investigate the availability of taxi vehicles which both meet Euro 4/5 standards and which also achieve low greenhouse gas emission levels.
- (iv) That any new plates, which may be made available, are allocated to vehicles which allow side access for wheelchair users.

- (v) That Officers investigate and report back on options for extending the availability of taxi rank space with particular reference to the City centre.
- (vi) That the Officers be asked to investigate and report on how the Council can ensure that plates are retained by local residents and that any rental income which may be charged by plate owners is ploughed back into improving the quality of the taxi service in York.
- (vii) That 'novelty' forms of transport such as rickshaws and pedicabs be excluded from compliance with wheelchair accessibility.

Councillor I Gillies  
Chair

The meeting started at 2.00 pm and finished at 3.05 pm.