

# Agenda

## Public Protection Committee

Date:	Wednesday, 17 July 2019 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Angela Jacques (Chairman)          Councillor Frank Andrews (Vice-Chairman)</p> <p>Councillors Brenda Blackshaw, Alan Clayton, Shirley Green, Gavin Harrison, Karen Henshaw JP, Paul Hodgson, Michael Sayward, Ray Thomas, Stan Trudgill.</p>

	PROCEDURAL ITEMS:	PAGE
1	<b>Declarations of Interest:</b> Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	<b>Confirmation of Minutes:</b> To confirm the minutes, as previously circulated, of the meeting held on <a href="#">13 March 2019</a> as a correct record.	1
3	<b>Substitute Members:</b> Details of any substitute members notified in accordance with council procedure rule 23(c).	1
	<b>DECISION ITEMS:</b>	
4	<b>Hackney Carriage and Private Hire Driver - AC</b>	3 - 4
5	<b>Charging Infrastructure for Electric Taxis</b>	5 - 7
6	<b>Appointment to Working Groups</b>	8 - 9

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	17 JULY 2019	4

### HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER - AC

#### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### SUMMARY

At a meeting of the Public Protection Committee held on the 30<sup>th</sup> January 2019, a report was considered regarding the fitness and propriety of an existing licensed driver. The Committee resolved to:

- (1) to issue a warning letter to AC; and
- (2) That, before being issued with a further full term licence, AC must appear back before the committee rather than such a licence being issued by officers under delegated powers.

The licence is due for renewal and the Committee will be requested to determine the renewal application.

#### RECOMMENDATION

1. That the Committee consider the report and determine the application.

#### SUMMARY OF PREVIOUS DECISIONS

[Public Protection Committee, 30<sup>th</sup> January 2019](#)

- (1) to issue a warning letter to AC; and
- (2) That, before being issued with a further full term licence, AC must appear back before the committee rather than such a licence being issued by officers under delegated powers.

[Public Protection Committee - December 2014](#)

The committee considered the matter and RESOLVED to take no further action against AC.

#### CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	
Working with all partners ( <b>Vibrant Economy</b> )	
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	√
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	

## REPORT

1. AC is a licensed driver, holding a combined hackney carriage and private hire drivers licence which is due to expire on the 17<sup>th</sup> July 2019.
2. On the 30<sup>th</sup> January 2019, his fitness and propriety to hold such a licence was referred to the Public Protection Committee following a complaint regarding his conduct. The Committee considered the matter and resolved to issue a warning letter but also required that on licence renewal, the matter be referred back to the Committee for consideration.
3. AC's licence was due for renewal on the 4<sup>th</sup> May 2019 which, Members will recall, was the time of the local elections. As such, there was no committee in place to determine the application and a decision was taken to renew the licence, setting it to expire on the date of the following Public Protection Committee.
4. Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 states, "a district council may suspend or revoke or ... refuse to renew the licence of a driver of a Hackney Carriage or a Private Hire vehicle on any of the following grounds:-
  - a) that he has since the grant of the licence:-
    - i) been convicted of an offence involving dishonesty, indecency or violence
    - ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of the Act; or
  - b) any other reasonable cause."
5. Officers are able to confirm that there have not been any complaints concerning AC's conduct since January 2019 and the Committee are therefore requested to consider the renewal of this licence.

IMPLICATIONS	
Finance	There are no financial implications arising directly from the report.
Legal	The Committee should have regard to the requirements of fairness and proportionality and to the European Convention on Human Rights in reaching its decision. Where the Council has adopted a policy which applies to a particular matter, it must take the policy into account when making its decision. Although it is not bound to follow the policy, any decision that is contrary to it should be supported and explained by clear and adequate reasons for departing from the policy.
Community Safety	No implications arising directly from the report.
Human Rights and Equalities	Referred to in Legal implications
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	<a href="mailto:chris.hambly@fylde.gov.uk">chris.hambly@fylde.gov.uk</a> 01253 658422	3 <sup>rd</sup> July 2019

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Hackney Carriage and Private Hire Licensing Policy	2017-2020	<a href="https://new.fylde.gov.uk/business/licensing/taxi-licensing/hackney-carriage-and-private-hire-licensing-policy/#1559202055516-446e0226-c907">https://new.fylde.gov.uk/business/licensing/taxi-licensing/hackney-carriage-and-private-hire-licensing-policy/#1559202055516-446e0226-c907</a>

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	17 JULY 2019	5

### CHARGING INFRASTRUCTURE FOR ELECTRIC TAXIS

#### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### SUMMARY

The report is submitted to inform members of the Committee of an initiative the Technical Support Manager and Licensing Officers have been involved in with regards to a funding bid relating to a charging infrastructure for electric taxis. It is likely that as the initiative progresses updates to the current Hackney Carriage and Private Hire Licensing Policy will be required. Any updates will require thorough consultation and the information is provided to appraise members of the current situation and advise on the likely proposals to be considered.

#### RECOMMENDATIONS

##### The Public Protection committee:

1. Supports the taxi electric charging joint project led by Lancaster City Council
2. To recommend to the Operational Management Committee to agree that Fylde Council continue to be involved with the taxi electric charging joint project and to request the Operational Management committee to consider and recommend a fully funded addition to the Capital Programme at its next meeting for the project.

#### SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions in this matter.

#### CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	✓
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	✓
Working with all partners ( <b>Vibrant Economy</b> )	✓
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	✓
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	✓

## REPORT

1. In 2018 a grant bid opportunity via the Department for Transport's Office for Low Emission Vehicles (OLEV) Round 2 Ultra Low Emission Vehicle (ULEV) Taxi Infrastructure Competition became available to seek funding for electric charging points for hackney carriages and private hire vehicles. Led by Lancaster City Council, six Lancashire authorities, including Fylde Council, came together to make a bid for a grant to provide charging infrastructure for electric taxis. This process included various officer-led discussions, surveys and presentations involving the taxi trade. The bid was successful and the six authorities were awarded £630,000 for the provision of 24 rapid charging points (the type most suitable for taxis) across the 6 local authority areas. The formal grant offer was received on the 9 April 2019.
2. As part the submission the six authorities (and West Lancashire) agreed at officer level to pursue the implementation of agreed common vehicle licensing policies and incentives to promote the uptake and anticipated transition of the taxi fleets to electric vehicles over the next few years.
3. The grant award presented an opportunity to the 6 local authorities to progress a more harmonised approach between all local authorities in Lancashire region and potentially beyond. Standardisation in this area offers the prospect better of air quality in Lancashire and benefits arising from a common shared approach to both councils and the trade.
4. 3 main reasons were identified to focus on hackney carriage and private hire vehicle to improve air quality:
  - i) Taxis, as a consequence of operating intensively in urban areas where air quality is at its poorest, are considered a significant contributor to poor air quality.
  - ii) Local authorities have regulatory powers to encourage and/or enforce the take-up of low emission vehicle taxis.
  - iii) Through exposing more of the population to the benefits of ultra-low emission vehicles, taxis can play an important role in influencing the wider take-up of such vehicles.
5. Given the cross boundary nature of taxi work (airport runs etc.) and also that that the current system makes it possible for a driver to choose a licensing authority; for policy requirements to be effective there is a need to consider a common approach to licensing on a regional (Lancashire) basis or even a shared approach across neighbouring regions (Yorkshire, Greater Manchester and Cumbria). A common approach will have effective emission reduction/air quality improvement benefits across the region. A fragmented approach will most probably mean that changes will be piecemeal and their effectiveness impaired as a consequence.
6. In some cases a different approach has developed through an adopted choice e.g. the required use of a black cab/London Taxi for Hackney Carriage use. These variations on approach should not inhibit the pursuit and adoption of a more harmonised approach. Any licensing requirement change must take place over a reasonable transitional period to accommodate and minimise the impact of any agreed change resulting from a harmonised approach.
7. A number of the local authorities (including Fylde) have engaged a company to carry out a survey of taxi movements to inform suitable locations for electric taxi charging infrastructure and inform the taxi trade of the potential benefits of changing their vehicle to an electric one. A survey of the trade (to gather their opinions) also took place as part of information gathering to inform the charging infrastructure grant application. This process has enabled officers to identify potential locations that electric charging points can be installed subject to technical restrictions. In Fylde, the 4 charging points are likely to be spread out with one point in each of St Annes, Lytham, Warton or Freckleton and Kirkham or Wesham.
8. In terms of progressing the matter, the Committee will be aware that different authorities have adopted different approaches and have different priorities. Some Lancashire local authorities will have more significant air quality issues than others i.e. some have Air Quality Management Areas and some do not, however emission reductions will lead to air quality improvements in all local authority areas with related health benefits.
9. In order to develop a harmonised Lancashire approach (and potentially an approach which will harmonise with our neighbouring regions) it is likely that amendments will be required to our Hackney Carriage and Licensing Policy which will require consultation.

10. Whilst the Authority is not at the stage of going to consult on such amendments, matters for consideration may include:
- All fleet Euro 6 compliant by 2022 (older vehicles can be retrofitted to meet Euro 6 emission standard)
  - All newly licensed vehicles to be a maximum 5 years of age when first licensed. Policy to apply from 2020.
  - Only newly license zero emission taxis from 2028
  - Using air quality or other council budgets to pay for licence fee for zero emission taxis (available for 3 years from 2019)
  - Investigate the use of business rate relief for taxi operators running zero emission vehicles
  - Investigate the provision of local authority provided interest free/low interest loans to assist with the purchase of zero emission vehicle
  - Investigate opportunities for group procurement of zero emission vehicles to reduce purchase cost.
11. Members are therefore requested to support the taxi electric charging joint project led by Lancaster City and to note that further updates will be provided in due course.
12. Members are requested to recommend to the Operational Management Committee to agree that Fylde Council should continue to be involved with the taxi electric charging joint project and for the Operational Management Committee to make a request to the Finance and Democracy committee at its next meeting to authorise the expenditure of approximately £105,000 as a fully funded addition to the Capital Programme once sites for the charging points have been confirmed and procurement of the charging points has been completed with Lancaster City Council and other Lancashire Districts involved in the project.

IMPLICATIONS	
Finance	As referred to in the report.
Legal	There are no implications arising directly from the report.
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	Whilst there are no Air Quality Management Areas within Fylde, supporting the provision of electric vehicles is beneficial in terms of reducing air pollution from licensed vehicles
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
None		

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	17 JULY 2019	6

### APPOINTMENT TO WORKING GROUPS

#### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### SUMMARY

Following the recent local election, held in May 2019, the committee is asked to confirm the membership of the working groups that are within the remit of the committee.

#### RECOMMENDATIONS

The committee is invited to confirm the establishment of the working group(s) listed which will meet as and when required.

#### SUMMARY OF PREVIOUS DECISIONS

Public Protection 18 July 2018 – Caravan Site Licensing working group established.

#### CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	√
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	
Working with all partners ( <b>Vibrant Economy</b> )	√
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	√
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	√

#### REPORT

1. Committees may wish to establish their own subject specific working groups to be set up when required in order to advise the parent committee on a particular topic/issue.
2. The table below lists those working group(s) that relate to the terms of reference of the Public Protection Committee that are currently established. The establishment of a working group is within the responsibility of the individual committee and does not need the approval of Council.
3. It is important that the members nominated to working groups have an appropriate interest in the subject, can commit to positively and be available to commit the time to attend the majority of the meetings involved.

4. The findings or conclusion of any working group would be brought to committee in a formal report.

Public Protection Committee– Working groups			
Working group	Role/purpose	Notes	Current representation
Caravan Site Licensing	To review proposed conditions on new and existing site licenses regarding registers and evidence proof to ensure a consistent approach.	Not met	Angela Jacques, Alan Clayton plus 3 vacancies

IMPLICATIONS	
Finance	No implications arising from this report
Legal	No implications arising from this report
Community Safety	No implications arising from this report
Human Rights and Equalities	No implications arising from this report
Sustainability and Environmental Impact	No implications arising from this report
Health & Safety and Risk Management	No implications arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Democratic Services	democracy@fylde.gov.uk	1/7/19

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Minutes	18/7/18	<a href="#">Public Protection Minutes</a>