

LICENSING COMMITTEE

AGENDA



Friday 13 December 2024

at 10.00 am

**in Committee Room B,
Civic Centre, Hartlepool.**

MEMBERS: LICENSING COMMITTEE:

Councillors Allen, Bailey-Fleet, Clayton, Darby, Dodds, Dunbar, Feeney, Jorgeson, Little, Nelson, Thompson and Young.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To approve the minutes of the Licensing Committee meeting held on 20 September 2024
- 3.2 To receive the minutes of the Licensing Sub Committee held on 3 June 2024, 12 August 2024, 27 September 2024 and 8 October 2024
- 3.3 To receive the minutes of the Regulatory Sub Committee held on 17 October 2024

4. ITEMS REQUIRING DECISION

- 4.1 Private Hire and Hackney Carriage Licensing Policy – Euro 6 and Age Policy Requirements – *Assistant Director (Regulatory Services)*

5. ITEMS FOR INFORMATION

No items.

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

LICENSING COMMITTEE

MINUTES AND DECISION RECORD

20th September 2024

The meeting commenced at 10.00am in the Civic Centre, Hartlepool

Present:

Councillor: Martin Dunbar (In the Chair)

Councillors: Gary Allen, Quewone Bailey-Fleet, Tom Feeney,
Michael Jorgeson, Sue Little, John Nelson, Carole Thompson
and Mike Young

Officers: Sylvia Pinkney, Assistant Director (Regulatory Services)
Rachael Readman, Trading Standards and Licensing Manager
Jo Stubbs, Democratic Services Officer

1. Apologies for Absence

Apologies were submitted by Councillors Ben Clayton and Rob Darby.

2. Declarations of interest by Members

None

3. Confirmation of the minutes of the Licensing Committee meeting held on 21 June 2024

Minutes confirmed

4. Receipt of the minutes of the Licensing Sub-Committee meetings held on 24 June 2024, 22 July 2024 and 7 August 2024

Minutes received

5. Receipt of the minutes of the Regulatory Sub-Committee meetings held on 16 May 2024 and 29 July 2024

Minutes received

6. **Gambling Act – Statement of Principles** *(Assistant Director (Regulatory Services))*

The Council's current statement of licensing principles in relation to gambling activities is due for renewal in January 2025. Consultation on the attached draft proposed policy had been approved by members at the meeting on 21st June 2024. This consultation had ended on 26th August. Gamcare, a national gambling support organisation, had welcomed the Council's position in retaining a no casino resolution and called for them to commit to a public health approach to gambling in the statement of principles.

A member queried what this could involve. The Trading Standards and Licensing Manager advised that this involved a much broader approach to gambling and the impact it has on the wider family and region as well as the individual. Hartlepool was one of the first local authorities to reference the links to gambling harms in their policy.

Members were still supportive of the no casino resolution although some were interested to know the impact on other towns which had a casino.

Decision

That the Gambling Act statement of principles as appended to the report be approved and recommended for adoption to full Council in October 2024.

The meeting concluded at 10:10am.

CHAIR

LICENSING SUB COMMITTEE

MINUTES AND DECISION RECORD

3 JUNE 2024

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool.

Present:

Councillor: Sue Little.

Also Present: as substitute in accordance with Council Procedure Rule 4.2.
Councillor Carole Thompson as substitute for Councillor Gary Allen.

Officers: Rachael Readman, Trading Standards and Licensing
Manager
David Cosgrove, Democratic Services Team

1. Apologies for Absence

Councillor Gary Allen.

2. Declarations of interest by Members

None.

3. Application for a New Premises Licence: Victoria House, Avenue Road, Hartlepool *(Assistant Director, Regulatory Services)*

In the absence of a quorum and the applicant, and in accordance with Council Procedure Rules, the meeting stood adjourned to be reconvened at a later date.

Decision

The meeting stood adjourned.

The meeting adjourned at 2.10 pm

The meeting commenced at 10.00am on Thursday 25th July in the Civic Centre, Hartlepool.

Present:

Councillor: Gary Allen (In the Chair)

Also Present: in accordance with Council Procedure Rule 4.2.
Councillor Martin Dunbar as substitute for Councillor Tom Feeney and
Councillor Rob Darby as substitute for Councillor Sue Little.

Officers: Rachael Readman, Trading Standards and Licensing
Manager
Tony Macnab, Solicitor
Jo Stubbs, Democratic Services Officer

Also Present: Frank Fender – representative for the applicant
PC Claire Lawton – Cleveland Police

4. Apologies for Absence

Councillors Tom Feeney and Sue Little

5. Declarations of interest by Members

None.

6. Application for a New Premises Licence: Victoria House, Avenue Road, Hartlepool *(Assistant Director, Regulatory Services)*

An application had been made for a new premises licence in respect of Victoria House, 24-26 Avenue Road. There had been a number of amendments to the application since the report had been issued and the hours requested now stood at 11pm-2am for late night refreshments (on premises only) and 8am-11.30pm for supply of alcohol (off premises). There had also been a number of additional conditions agreed resulting in the withdrawal of the objections from Cleveland Police, Environmental Health and Public Health. Three public objections had also been received relating to concerns around anti-social behaviour and the detrimental impact granting this licence would have on nearby businesses.

PC Lawton confirmed that Cleveland Police had withdrawn their objection following agreement that the applicant would not sell high strength alcohol or single cans. She was present to answer any questions relating to anti-social behaviour in the area.

Mr Fender spoke on behalf of the applicant who was not available due to family business. The applicant was a very experienced operator of licensed premises and currently runs 2 in Birmingham which have 24 hour licences without issue. However he had readily agreed to the reduced hours for the sale of alcohol and the conditions relating to the alcohol strength and single

can sales. Any alcohol on premises would be physically covered out of hours. In terms of late night refreshments this would consist of a coffee machine or heating up food rather than anything more involved. 2 of the public objections came from nearby operators but much of their objection relating to potential anti-social behaviour was speculative and reduced by the agreed conditions. Guidance states that the police should be the main source of advice on crime and anti-social behaviour and they had withdrawn their objection. Operators at the other premises had also raised concerns at patrons bringing alcohol into their premises purchased elsewhere but that was a management issue from them not the applicant. The area under consideration was not part of the cumulative impact zone and there were no public spaces protection orders in place. PC Lawton confirmed that had been the case when the application was submitted but a problem solving plan was now in place following anti-social behaviour issues on the ramp and cenotaph. This was not however an official public spaces protection order.

Members queried the policies in place to prevent the sale of alcohol to under 25s. Mr Fender was unclear on the exact details but the agent who had submitted the application provided training information to his clients and there were robust training conditions in place.

With regards to anti-social behaviour in the area PC Lawton confirmed that at the time of application this had primarily been based around children and shoplifters rather than linked to the night time economy. However there now seemed to be anti-social behaviour coming from York Road which appeared to be linked to a similar premises. Efforts were being made to introduce similar conditions to that premises. In terms of Victoria House she felt that the conditions around alcohol were strong enough.

Regards identification of habitual drinkers the Trading Standards and Licensing Manager confirmed that the applicant would be given the opportunity to be part of a linked network provided to all relevant premises which provides information of this type. It was a voluntary paid-for scheme but the applicant would be offered free use for the first year and would hopefully see the benefits in that time.

Members queried whether there would be door supervisors. Mr Fender confirmed there would be 2 staff members on duty at all times but he did not feel that door supervisors were appropriate at the moment given the cost implications on the applicant.

The Chair thanked everyone for their attendance at the meeting and their response to elected members questions. The Chair stated that the Sub Committee would then go into closed session to discuss their decision.

Decision

That the application be approved based on the updated hours and conditions as detailed at the meeting.

The Licensing Sub-Committee considered the application for the sale of alcohol for consumption off the premises for the amended hours 8:00am to 11:30 pm seven days a week and for the provision of late night refreshment (primarily coffee) from 11:00pm to 2:00am.

A number of conditions had been agreed with The Police and as a result the objections from the Responsible authorities had been withdrawn. PC Claire Lawton attended to answer any questions.

Rachael Readman, Trading Standards and licensing Manager, outlined the application and read out three letters consisting of representations from members of the public including two from operators of nearby licensed premises.

Frank Fender attended as agent for the applicant who was unable to attend due to family business.

Mr Fender explained that these were brand new premises and the applicant was very experienced and has two other premises in Birmingham with 24 hour licences. There have never been any issues with those premises. The provision of late night refreshment would consist of a coffee machine or heating up a pasty. During the hours that the premises are open but when alcohol sales are prohibited the area where the alcohol is located will be covered up.

With regard to the written representations, Mr Fender stated that the two from nearby operators concerned potential anti-social behaviour and were speculative and with the agreed conditions was lessened. He said that the applicant's previous agent had emailed the operators following the agreed conditions and amended application but had not received any reply.

Members determined the application in accordance with the promotion of the licensing objectives and having regard to the Statutory Guidance. They considered the representations put forward by the applicant and the written representations received

Members were satisfied with the agreed conditions and considered that the Licensing Objectives would be promoted by granting the application and therefore granted the application.

Members considered that this decision is appropriate and proportionate for the promotion of the licensing objectives.

The meeting concluded at 10:44am

CHAIR

LICENSING SUB COMMITTEE

MINUTES AND DECISION RECORD

12 August 2024

The meeting commenced at 10.00am in the Civic Centre, Hartlepool.

Present:

Councillor: Carole Thompson (In the Chair)

Councillors: Quewone Bailey-Fleet and Mike Young

Officers: Sylvia Pinkney, Assistant Director (Regulatory Services)
Neil Wilson, Assistant Chief Solicitor
Rachael Readman, Trading Standards and Licensing Manager
Angela Armstrong, Principal Democratic Services and Legal Support Officer

Also present:

S Pakitharan (Applicant), S Kanarathi (Agent)
A and S Bribech and M Hayes (Objectors)

14. Apologies for Absence

None.

15. Declarations of interest by Members

None.

16. Application for a New Premises Licence: The Fens Local, 394 Catcote Road, Hartlepool *(Assistant Director, Regulatory Services)*

The Assistant Director, Regulatory Services gave details of a revised application for a new premises licence to allow the supply of alcohol 07:00-23:00, Monday – Sunday (off the premises only) with opening hours of 06:00-00:00, Monday-Sunday. A copy of the original application was attached at Appendix 1. The Applicant stated in the application that the premises will be a local convenience store and will join a retail group to offer a choice of products to customers.

It was noted that five representations had been provided, four of which were from members of the public and one from the Licensing Authority. These

representations were attached by way of Appendix. Street view images and a map of the area were also attached.

The Licensing Authority had submitted a representation which made reference to the following three licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety

A number of conditions had been agreed by the Applicant with Cleveland Police and these were attached by way of Appendix.

The Agent informed Members that the Applicant was well experienced at managing premises and that this premises was located in a purpose built shopping parade. The shop will be open from 7am-11pm and this application was to sell alcohol within that timeframe. In addition it was noted that there was another store on the same site that opened 6am-11pm and sold alcohol during those opening hours. With regards to the Police's objections around the sale of alcohol, the Applicant had agreed additional conditions that would promote the licensing objectives. The Agent added that there was CCTV installed that would evidence any issues that may arise and appropriate action would be taken should it be necessary.

During the discussion that followed, Members sought clarification on why the Applicant should be able to operate outside the Council's Licensing Policy. The main reason provided was that the premises was located in a purpose-built shopping parade and was considered a commercial area. In addition, there was already a shop selling alcohol outside of the stipulated times within the current Licensing Policy. The Trading Standards and Licensing Manager confirmed that the licence to sell alcohol from the other premises on the shopping parade was granted in 2005. The current Licensing Policy was amended to include restrictions on the operation of premises within residential areas in 2011.

Members had concerns around the potential issue of people loitering around the shopping parade after purchasing alcohol and sought clarification on how the management of the store would deal with this issue. The Agent confirmed that signs would be in place to indicate that people should not stay in the area and that staff would adequately trained to disperse any customers who remained in the area post purchase. It was noted that the store that was licensed to sell alcohol outside of the current opening hours stipulated in the Licensing Policy employed security staff to assist with dispersing customers.

The members of the public who lived in the residential accommodation above the shopping parade and had submitted objections were in attendance and addressed the Committee. Members were informed that there had been a lot of problems with anti-social behaviour caused by drinking which had led to violence, vandalism and damage to residential

properties above the shopping parade over a number of years. As there was already a shop selling alcohol outside of the current Licensing Policy restrictions along with a public house on the site also, the residents considered that there was enough of a drinking culture in the area. There were concerns that this would add to the workload of the local police and more importantly put added strain and worry on the residents of the area. The Trading Standards and Licensing Manager confirmed that the area was predominantly residential with housing above and surrounding the shopping parade.

In conclusion, the Agent for the Applicant referred to the fact that there was another shop open from 6am-12 midnight and the staff would be adequately trained to deal with any post sale customers who were hanging around outside the premises. In addition to this, the shop already had permission to open from 7am-11pm, this application was about selling alcohol between those times.

The Trading Standards and Licensing Manager reiterated that the Licensing Policy was in place to encourage well-mannered neighbourly friendly premises. The Applicant needed to demonstrate why these premises should be able to sell alcohol beyond the permitted hours contained within the Licensing Policy.

The Chair thanked everyone for their attendance at the hearing and their responses to Elected Members' questions. All parties left the meeting to enable Members to deliberate and form a decision.

During the deliberations, a Member did highlight the benefits of having late night shopping in what is predominantly a residential/family area. However, Members did not feel that the Applicant or Agent had demonstrated any reason to permit the sale of alcohol outside the hours permitted within the Council's Licensing Policy despite being questioned on this point several times. The Licensing Policy currently states that the sale of alcohol for any new premises licences was permitted between 9am-10pm and Members considered that nothing had been demonstrated to show why this application should be permitted to operate outside of those hours.

All parties rejoined the meeting.

This is an application for a new premises license for a local convenience store. The applicant initially applied to sell/supply alcohol between 06:00hrs and 00:00hrs, seven days a week. The application was subsequently amended to request a license to sell/supply between the hours of 07:00 and 23:00.

We have considered the application and the additional representations made today. Those representations can be summarised as:

1. The premises will be managed by a well experienced manager;

2. the premises are not in a residential area but are in a purpose built commercial shopping parade;
3. that this will be a great addition to the existing offer;
4. that they have agreed conditions with the police;
5. the premises used to be an off license;
6. the premises will be well managed and staff will be asked to disperse groups and signs will be put up asking people not to congregate;
7. they have reduced the hours sought to satisfy police; and
8. the shop will open between 7 and 11 and there is no reason why it shouldn't sell alcohol whilst open.

We have considered the written representations put forward by two local residents along with the oral representations of three local residents who have a detailed experience of living in the area and the extensive anti-social behaviour that has taken place over the years. The concerns can be summarised as follows:

1. The area has historically suffered with significant anti-social behaviour;
2. when the property was an off-license there was almost daily reports to the police as a result of criminal damage, intimidation, the property being held up and robbed;
3. other local businesses already attract anti-social behaviour and this will add to the problems, especially with the proposed extended hours;
4. residents are afraid of the problems that this proposal will attract, matters have only recently quietened down. It was not uncommon for residents to feel intimidated by groups congregating near the doors to their properties which adjoin the shops or of having their property damaged by these groups;
5. the shops do attract crime and other shops have had to appoint dedicated security staff, which is not proposed for these premises;
6. the premises are clearly residential, there are signs advertising the residential use and the shops serve the community;
7. the applicant may manage other premises well but he is naïve to believe that issues presented in this location can be managed by simply asking people to not congregate or to disperse; and
8. Having the premises open to the proposed time will increase traffic to the property and the corresponding noise that will accompany this.

We are satisfied that the location of the premises is in a residential area and therefore paragraphs 4.27, 5.5 and 5.13 of the Council's current licensing policy is relevant to the application.

A number of conditions had been agreed with The Police and as a result the objections from them have been withdrawn.

The applicant was asked to justify why we should depart from the existing policy and we were not satisfied that there was any evidence presented to

do so. The applicant pointed to another local convenience store that could (although did not) open longer than them but other than point to their opinion that this was not a residential area and the conditions that they had agreed, they did not provide any significant evidence to support a departure from our policy. The applicant had not put forward any demonstrable representations as to why we should depart from the licensing policy.

Decision

Members determined the application in accordance with the promotion of the licensing objectives and having regard to the Statutory Guidance. They considered the representations put forward by the applicant and the written representations and oral from members of the public who attended and from the written representation of residents of the area.

Members were satisfied with the agreed conditions and considered that the Licensing Objectives would be promoted by granting a premises licence for reduced hours which will be from 9am until 10pm every day in accordance with the policy.

Members considered that this decision is appropriate and proportionate for the promotion of the licensing objectives.

The meeting concluded at 10.50am

CHAIR

LICENSING SUB COMMITTEE

MINUTES AND DECISION RECORD

27th September 2024

The meeting commenced at 10.00am in the Civic Centre, Hartlepool.

Present:

Councillor: Martin Dunbar (In the Chair)

Also Present: In accordance with Council Procedure Rule 4.2 Councillor Tom Feeney was in attendance as substitute for Councillor Michael Jorgeson and Councillor Sue Little was in attendance as substitute for Councillor Rob Darby.

Applicant: Amjad Selim (accompanied by Andrew Mason)

Objectors: Pete Bradley, Lin Gould, Marnie Ramsey and Graham Waugh.

Officers: Rachael Readman, Trading Standards and Licensing Manager
Neil Wilson, Assistant Chief Solicitor
Jo Stubbs, Democratic Services Officer

17. Apologies for Absence

Apologies were submitted by Councillors Rob Darby and Michael Jorgeson.

18. Declarations of interest by Members

None

19. To confirm the minutes of the meeting held on 3rd June 2024

Minutes confirmed

20. To confirm the minutes of the meeting held on 7th August 2024

Minutes confirmed

21. To confirm the minutes of the meeting held on 12th August 2024

Minutes confirmed

22. Application for a new premises licence – Villiers Street, Hartlepool (Assistant Director, Regulatory Services)

Members were asked to consider a new premises licence for Dart Foods (formerly Tesco) on Villiers Street. A licence was sought for the supply of alcohol off premises Monday-Sunday 8am-11pm which would be the premises opening hours. Six representations opposing to the proposal had been submitted by members of the public, 4 of whom were present at the meeting.

Following discussions between the applicant and Cleveland Police a number of conditions had been attached to the premises licence, details of which were provided as part of the papers.

The applicant Amjad Selim was present at the meeting. He was accompanied by Andrew Mason. Mr Selim advised that the opening hours had been reduced to 8am-6pm Monday to Friday (10am-5pm on Sunday) so a licence to 11pm would no longer be required. They would not be selling single cans, 4 packs, spirits, wine or anything above a certain alcoholic strength only fridge packs of beer.

Members noted that these premises were located in an area blighted by anti-social behaviour. They queried why they wished to sell alcohol from 8am in light of these problems. Mr Selim noted that this was officially classified as a supermarket and other supermarkets sell alcohol at similar times. However he would be prepared to amend the start time for the sale of alcohol to 10am if this would alleviate some of the concerns.

A number of people who had made representations against the proposal spoke at the meeting. They praised Mr Selim's efforts to bring a derelict building back into use but questioned the need to sell alcohol in an area already blighted by problems where alcohol was readily available elsewhere. Examples were given of anti-social behaviour in the vicinity and the intimidation this causes to residents and visitors to the town centre. They also referred to the impact this had on wider society in terms of increased crime and the cost to the NHS and social services.

The Head of Service for Community Hubs also spoke at the meeting, noting issues with anti-social behaviour in the immediate area which had caused safeguarding concerns around children visiting the hub.

The Trading Standards and Licensing Manager confirmed that the police were satisfied with the conditions that had been attached and had therefore not raised any objection to the proposal. She confirmed that members

could add further conditions should they so wish. Minimum pricing of alcohol is mandatory and Mr Selim confirmed they had no intention to engage in special offers on alcohol such as buy one get one free. He indicated he would be happy to work with the Council and Police should there be any issues involving his premises. Opening the shop had brought life to a derelict area and provided jobs for 14 people.

The Chair thanked everyone for their attendance at the hearing and their responses to Elected Members' questions. All parties left the meeting and members deliberated in closed session. They considered the application in accordance with the promotion of the licensing objectives and having regard to the Guidance and the Licensing Authority's Statement of Licensing Policy.

Members noted the issues around anti-social behaviour in the area and the actions that have and are being taken to combat this. However they were also impressed at Mr Selim's efforts to work with the local community to address this, noting that he had willingly accepted all the conditions suggested by Cleveland Police and had been happy to reduce the licensable hours from those originally requested.

All parties rejoined the meeting.

This is an application for a new premises license for a local convenience store to sell/supply alcohol between 8am and 11pm, seven days a week. The applicant has proposed (and agreed with the police) certain conditions at Appendix 10.

We have considered the application and the additional representations made today.

Those representations can be summarised as:

1. The existing anti-social behaviour in the area has been noted but this application will not exacerbate the issue
2. That this will be a great addition to the area and will bring the shop back into use
3. That they have agreed conditions with the police
4. There will be no sales of single cans, high strength cans or spirits
5. The premises will be well managed
6. They had reduced the opening hours sought to 8am-6pm and will only sell alcohol from 10am to help address the concerns of local residents

We have considered the written representations put forward by five local residents and the Head of Service for Community Hubs. Furthermore, we have today heard oral representations from local residents and the Head of Service for Community Hubs. We have had the opportunity to ask questions and explore the concerns in some detail.

The residents have a detailed experience of living in the area and the extensive anti-social behaviour that has taken place over the years. The concerns can be summarised as follows:

1. The area has historically suffered with significant anti-social behaviour
2. The further availability of alcohol cannot help these issues
3. The shop is directly opposite the Central Hub and there are safeguarding concerns for the children who attend the service. Other local businesses already attract anti-social behaviour and this will add to the problems.
4. Residents are afraid of the problems that this proposal will attract. Matters have only recently quietened down following a dispersal order

A number of conditions had been agreed with The Police and as a result there are no objections from them.

We are acutely aware of the anti-social behaviour that blights this area and the actions that have, and are being taken to combat this issue. We are however impressed by the applicant's willingness to work with the local community to address their concerns.

We are prepared to grant a premises licence for reduced hours sought by the applicant which will be from 10am until 6pm every day in accordance with the policy. We consider that this decision is appropriate and proportionate.

Decision

1. That a licence to sell alcohol be granted 10am-6pm.
2. That the conditions agreed between the applicant and Cleveland Police (appendix 10 refers) be noted
3. That the following additional conditions be added to the licence:
 - I. No sale of wine
 - II. No sale of spirits
 - III. No sale of products consisting of a pack of 4 items or below

IV. No special offers such as BOGOF on the sale of alcohol

All decisions were a majority 2-1 vote.

The meeting concluded at 11:15am

CHAIR

LICENSING SUB COMMITTEE

MINUTES AND DECISION RECORD

8th October 2024

The meeting commenced at 10.00am in the Civic Centre, Hartlepool.

Present:

Councillor: Ben Clayton (In the Chair)

Councillor: John Nelson

Also Present: In accordance with Council Procedure Rule 4.2 Councillor Rob Darby was in attendance as substitute for Councillor Sue Little

Applicant representatives:

Gail Lewis and Stuart Reeves

Officers: Rachael Readman, Trading Standards and Licensing Manager

Neil Wilson, Assistant Chief Solicitor

Jo Stubbs, Democratic Services Officer

23. Apologies for Absence

Apologies were submitted by Councillor Sue Little.

24. Declarations of interest by Members

None

25. Application for the variation of a gaming machine permit – Stag and Monkey, Brenda Road, Hartlepool *(Assistant Director, Regulatory Services)*

Members were asked to consider an application for the variation of a gaming machine permit in respect of the Stag and Monkey to increase the number of gaming machine from 4 to 5 (an increase by 1 in the number of category C machines). A plan of the premises showing the location of existing machines and the proposed additional machine was appended to the report with a copy of the Gaming Machine Compliance Document.

Representatives from Green King Brewing and Retail Ltd, Gail Lewis and Stuart Reeves, were present at the meeting. They did not speak in support of the application and no questions were asked of them.

The Chair thanked everyone for their attendance at the hearing. All parties left the meeting and members deliberated in closed session. They considered the application in accordance with the promotion of the licensing objectives and having regard to the Gambling Commission Code of Practice and the Council's Gambling Act Statement of Principles.

Members noted that there had been no contraventions of the Gambling Commission Code of Practice or the Council's Gambling Act Statement of Principles on the premises. The plan showed all gaming machines could be easily monitored.

All parties rejoined the meeting.

Decision

That the application for an additional Category C gaming machine at the Stag and Monkey be approved unanimously.

The meeting concluded at 10:15am

CHAIR

REGULATORY SUB COMMITTEE

MINUTES AND DECISION RECORD

17 October 2024

The meeting commenced at 10.00am in the Civic Centre, Hartlepool

Present:

Councillor: Gary Allen (In the Chair)

Councillor: Michael Jorgeson

Also Present: In accordance with Council Procedure Rule 4.2.Councillor Tom Feeney as substitute for Councillor Quewone Bailey-Fleet

Officers: Rachael Readman, Trading Standards and Licensing Manager
Neil Wilson, Assistant Chief Solicitor
Jo Stubbs, Democratic Services Officer

6. Apologies for Absence

Apologies were submitted by Councillors Quewone Bailey-Fleet and Rob Darby.

7. Declarations of interest by Members

None

8. Minutes of the meeting held on 16 February 2024

Minutes confirmed

9. Minutes of the meeting held on 16 May 2024

Minutes confirmed

10. Minutes of the meeting held on 29 July 2024

Minutes confirmed

11. Private Hire and Hackney Carriage Driver TB

Members were asked to defer this item to a future date to allow the driver to attend. Should they fail to attend on a future date the case would be considered in their absence.

Decision

That this item be deferred to a future date.

12. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 13 – Private Hire Driver Licence LAW – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely, information relating to the financial or business affairs of a particular person (including the authority holding that information) (para. 1).

13. Private Hire Driver Licence LAW *(Assistant Director, Regulatory Services)* This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 1) information relating to the financial or business affairs of a particular person (including the authority holding that information)

Members were asked to consider what action should be taken against a licensed private hire driver. Details are included in the exempt minutes.

Decision

Detailed in the exempt minutes.

The meeting concluded at 10:10am

CHAIR

LICENSING COMMITTEE

13th December 2024



Report of: Assistant Director (Regulatory Services)

Subject: PRIVATE HIRE AND HACKNEY CARRIAGE
LICENSING POLICY – EURO 6 AND AGE POLICY
REQUIREMENTS

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- where people will be safe and protected from harm.
- that is connected, sustainable, clean and green.
- that has an inclusive and growing economy.

2. PURPOSE OF REPORT

2.1 To consider a request from members of the Private Hire and Hackney Carriage trade to amend the Council's Private Hire and Hackney Carriage Policy in relation to our Emission Standards and/ or Age Restrictions.

3. BACKGROUND

3.1 Hartlepool Borough Council is the statutory licensing authority for hackney carriage and private hire vehicles, drivers and operators that work within the borough.

3.2 The Council has a Private Hire and Hackney Carriage Licensing Policy that details the standards that are expected of drivers, vehicles and operators in order to ensure the safety and comfort of the travelling public.

3.3 A petition was brought to the Licensing team on the 29th October 2024 requesting an amendment to our current Policy in regards to our requirements

for vehicles to be Euro 6 compliant by the 1st April 2025. A copy of the petition and accompanying documents can be found at **Appendix 1**.

The members of the Taxi and Private Hire trade have provided a few reasoned options that they believe will assist them to continue to trade.

- 3.4 A number of Local Authorities are currently facing difficult challenges as they strive to improve their air quality in order to achieve Government targets. One way to help improve air quality is to ensure that taxi fleets are as ‘clean’ as possible.
- 3.5 All road vehicles are manufactured to ‘Euro emissions standards’ which set acceptable limits for certain types of exhaust emissions and these standards are gradually becoming more stringent.
- 3.6 Hartlepool’s current Private Hire and Hackney Carriage Licensing Policy includes the following requirement’s relating to a Licensed Vehicles:

Age Restriction

3.23 A licence will only be granted to an unlicensed vehicle when it is under five years old (from date of first registration).

3.24 Vehicle licences will normally only be renewed up to 8 years old (except for purpose built wheelchair accessible vehicles such as London Cabs which may be licensed up to 13 years of age).

3.25 Vehicles which meet the Council’s “exceptionally well maintained” criteria may be licensed for longer periods.

3.26 For a vehicle to be regarded as being ‘exceptionally well maintained’ it will be for the vehicle proprietor to demonstrate to the licensing authority that the vehicle has been exceptionally well maintained throughout its lifetime.

3.27 Matters to be taken into account when determining whether a vehicle has been exceptionally well maintained will include, but are not limited to: - a) History of mechanical checks and the number and nature of any failures b) History of visual appearance checks carried out by licensing officers c) History of spot checks carried out by licensing officers d) Accident history of the vehicle

3.28 Applications for an extension of the age policy must be made in writing to the Licensing Team, accompanied by the relevant fee, a minimum of 14 days prior to the expiry of the current licence.

3.29 In addition to the above, from 1st April 2025, petrol and diesel powered vehicles must be Euro Emission Class 6 or subsequent Class.

3.30 Subject to satisfying all other relevant requirements detailed in this policy, there is no age restriction for vehicles that are powered solely by electricity or otherwise

can be regarded as being truly 'zero emission at source' or that are wheelchair accessible.

- 3.7 The Euro 6 Emission Standard was initially introduced into Hartlepool Borough Council's Policy in 2019 with an implementation date of 1st April 2023. Taking into consideration the financial strains placed upon the trade by COVID-19 this was postponed to 1st April 2025, with the agreement that any future changes to emission standards be reported back to the Licensing Committee so that the Council's policy can remain relevant and up to date. This has provided the trade with five years to financially plan and implement the changes which the majority of vehicle owners have done.
- 3.8 In January 2022 it was agreed that an increase in the minimum age that a car can be first licensed from four years, to five years, this provided some additional practical support for the trade.
- 3.9 The Government Department for Transport Taxi and Private Hire vehicle licensing best practice guidance for Licensing Authorities contains two sections with relevance to these proposals; Vehicle Age limits **Appendix 2** and Environmental Considerations **Appendix 3**.
- 3.10 The Department of Transport guidance states licensing teams should work with council colleagues with air quality and climate responsibilities to ensure taxi and private hire vehicle fleets play their part in work to tackle local emissions. Hartlepool Borough Councils Environmental Health (Environmental Protection) Manager with a responsibility for Air Quality has provided a representation, this can be found at **Appendix 4**.
- 3.11 Hartlepool Borough Council currently licences 229 Private Hire and Hackney Carriage Vehicles of which 33 are not Euro 6 compliant. This equates to 14% of our Private Hire and Hackney Carriage fleet. (Figures correct as of 22/11/24)
- 3.12 In September 2019 when the Euro 6 requirements were initially introduced into the Policy 26% of Hartlepool's taxi fleet were not of Euro 6 standard.
- 3.13 Due to changes in the law it is now more likely that taxis licensed by one Council will operate in another Council's area and, as such, any approach to the licensing of vehicles needs to take into account what other licensing authorities are doing. For example, any steps taken by Hartlepool in isolation would not, necessarily produce the desired effect, as vehicles could simply be licensed by another Council, to a lesser standard, and then continue to work, quite legally, in Hartlepool.
- 3.14 The trade submission makes reference to numerous other Local Authority Licensing Policies. The quality of air we breathe is not restrained by council boundaries, and vehicles licensed by other Local Authorities are taking advantage of the deregulation and driving in other areas, due to these factors it is important that we consider what standards other Local Authorities are

stipulating. Extracts from Policies within the Tees Valley can be found at **Appendix 5**.

- 3.14 The trade submission includes a petition that is signed by 52 vehicle owners, out of these 52 vehicle owners, 24 have Euro 6 compliant vehicles and although they may support their colleagues, their vehicles will not be affected by the Policy as it stands. A breakdown is provided at **Appendix 6**.

4. PROPOSALS

- 4.1 Hartlepool Borough Council will use its role as licensing authority to protect the public. This will be achieved by, amongst other things:

Maintaining public confidence in the hackney carriage and private hire trade so that it remains, safe, reliable and sustainable transport option for the travelling public.

- 4.2 Hackney carriage and private hire vehicles are an essential form of transport in the Hartlepool area. Many people depend on such vehicles for trips that buses or other forms of public transport are incapable of making. It is for this reason that we do not want our fleet numbers to reduce. It is, however, clearly important that emissions from hackney carriage and private hire vehicles are reduced as far as possible.
- 4.3 It is important that our Taxi / Private Hire fleet continues to provide safe & comfortable travel from the public. The age limit and exceptionally well maintained element to the policy was introduced to ensure the vehicles in the fleet have modern safety features, have low emissions and remain in good condition it encourages vehicle owners to maintain their vehicles in good condition and allows them to purchase a range of replacement vehicles.

5. OTHER CONSIDERATIONS/ IMPLICATIONS

Risk Implications	None
Financial Considerations	Yes - If the decision is made to retain the current Policy requirements, the owners of the 33 non-compliant vehicles may decide not to replace their vehicles.
Legal Considerations	None
Equality and Diversity Considerations	None
Staff Considerations	None
Asset Management Considerations	None
Environmental, Sustainability and Climate Change Considerations	Yes – Environmental Implications if the decision is made to amend the current Policy requirements.

6. RECOMMENDATIONS

- 6.1 That Members note the contents of this report and any other representations made.
- 6.2 It is recommended that the Private Hire and Hackney Carriage Licensing Policy is not amended and all petrol and diesel powered vehicles licensed by Hartlepool Borough Council as either a Private Hire or Hackney Carriage must be Euro Emission Class 6 or subsequent Class by 1st April 2025.

7. REASONS FOR RECOMMENDATIONS

- 7.1 Hartlepool Borough Council's Private Hire and Hackney Carriage Licensing Policy is formally approved by the Licensing Committee, it is imperative that this Policy remains relevant and progressive to encourage the trade to be environmentally mindful with their vehicle choices.
- 7.2 It is entirely appropriate and reasonable for a Licensing Authority to require and expect licensed vehicles that will be used to transport the general public to be of a high standard.
- 7.3 The Private Hire and Hackney Carriage Licensing Policy is a considered document, this is reflected in the previous alterations that have assisted vehicle owners and allowed time for them to make the necessary adjustments.
- 7.4 The current emission standards were first introduced into the Policy in 2019, therefore providing vehicle owners five years to financially prepare for the change. The financial strains from COVID19 resulted in the proposals being postponed from 2023 to 2025. This five year implementation period has provided the balance required for advancing environmental goals whilst allowing the trade sufficient time to adjust.

8. BACKGROUND PAPERS

- 8.1 Department for Transport Taxi and Private Hire vehicle licensing best practice guidance for Licensing Authorities

<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england>

- 8.2 Hartlepool Borough Council Private Hire & Hackney Carriage Licensing Policy (7th January 2022)

https://www.hartlepool.gov.uk/info/20023/licences_and_permits/284/taxis

9. CONTACT OFFICERS

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Sylvia.pinkney@hartlepool.gov.uk

Rachael Readman
Trading Standards and Licensing Manager
Rachael.readman@hartlepool.gov.uk

Khalid Hussein

Khalid Taxis

Hartlepool Borough Council

Taxi Licensing Team

Civic Centre

Victoria Road

Hartlepool

TS24 8AY

Dear Sir or Madam,

I hope this message finds you well. I wanted to address the proposed changes by the council to transition vehicles to Euro 6 for taxis. Currently, out of my 11 taxis, 8 are Euro 5 engines. The estimated cost to replace them all would exceed £80,000, a significant financial burden for my business.

It's crucial to consider the impact on not just my business but also the 75 private and Hackney drivers with Euro 5 cars. Many drivers may struggle financially to make this change, and if they can't replace their vehicles, it could lead to job losses. This situation might force some drivers to give up on being taxi drivers altogether.

As you are aware, the majority of businesses were affected by COVID, and taxi drivers were impacted just as much, if not more. Recovery has been slow for most, and many are still trying to get back on their feet.

I propose that the current age limit for euro 6 vehicles be removed. The requirement should be a Euro 6 car that is in good condition and meets other guidelines and standards set by the council for a euro 6 vehicle. This flexibility would allow vehicles to continue operating as long as they meet the necessary conditions.

I've conducted research across 21 councils, and I've attached the findings to this letter. While some councils have not provided clear guidelines yet, others have set deadlines beyond 2026/2027. Considering the natural turnover of vehicles, I believe most cars will transition to Euro 6 by 2027 anyway.

Thank you for letting us drivers have our say on this matter, and I appreciate you considering our points.

Kind Regards

Khalid Hussain

1. North Tyneside council - Hackney and private hire vehicles from 1st April 2024 no new vehicle licence will be granted unless they are Euro 6 diesel or Euro 5 petrol. From April 2026 vehicle licenses will not be renewed unless it's a Euro 6 diesel or Euro 5 petrol. If licence renewed before April, then it goes into 2027
2. South Tyneside - From 1st September 2022 no vehicle for first time get licence unless it's Euro 6 diesel or Euro 5 petrol. Euro 5 or better vehicle which is currently licensed are not affected by this policy
3. Newcastle council - From 1st November 2023 there will be no new or replacement vehicle licensed unless Euro 6. From 1st November 2028 there will be no vehicle licensed unless it's a Euro 6
4. Derby council vehicle age policy - from 1st January 2025 all vehicles over the age of 15 years will be refused licence unless they are in good condition. Also from 1st January 2025 new license vehicle must be Euro 6.
5. Stoke on Trent maximum age vehicle. Age of vehicle joining fleet under 7 years renew license. Over 10 years need M.O.T every 6 months and suitability test every 6 month.
6. Birmingham city council decided on 1st January 2020 any car to be licensed will be 12 years old. Vehicle may stay licensed after 12 years as long as they are meeting the set guidelines and passing the yearly checks. Birmingham council decided this because the Wolverhampton council had set these conditions. They realised if they don't do the same drivers will go to Wolverhampton council for the vehicle licence. This would have allowed them to still work in Birmingham under the Wolverhampton operator license.
7. Wolverhampton Council - Any car to be licensed will be 12 years old. Vehicle may stay licensed after 12 years as long as they are meeting the set guidelines and passing the yearly checks.
8. Aylesbury vale district council - new vehicle licence 1st September 2015 renewal of licence must meet or exceed Euro 5.
9. Chiltern de vale district council - new vehicle licence 1st September 2015 renewal of licence must meet or exceed Euro 5.
10. South Bucks council - new vehicle licence 1st September 2015 renewal of licence must meet or exceed Euro 5.
11. Wycombe Council - new vehicle licence 1st September 2015 renewal of licence must meet or exceed Euro 5.

12. The licensing committee of north west Leicestershire district council on Wednesday 18 September 2024 delayed the implantation for hackney carriage and private hire euro 6 policy. The policy has been delayed to 1 January 2026.

Trade representations have been receiving requests to delay the implementation of the council's euro emission standards. Stated below are councils that have also delayed the euro 6 policy. The delay for the licensed vehicles is from 1 January 2025 to 1 January 2026.

13. Blaby District Council
14. Charnwood Borough Council
15. Harborough District Council
16. Hinckley and Bosworth Borough Council
17. Milton Keynes Borough Council
18. Oadby and Wigston Borough Council
19. Leicester Council
20. South Derbyshire District Council
21. Ashfield District Council

This proposal has been supported by the majority of the taxi trade.

The names on the petition are only a handful of the total numbers supporting the proposal, a large number of drivers were unable to sign for various reasons such as lack of availability etc.

My name is Said Latif and I run 1 of only 2 Hartlepool based taxi companies.

I currently manage 7 hackney vehicles, 5 of which are non-Euro 6 compatible.

If the current policy is introduced in April 2025 of all vehicles for hackney and private hire use must be euro 6 and above, I would not be able to afford to upgrade my vehicles and would have to cease trading.

This would adversely affect the public in Hartlepool as demand for taxi services is high, the only company from Hartlepool would be 23 taxis.

A situation like this opens up the door to taxi firms from out of town. This not only reduces the revenue for licensing in Hartlepool council but compromises the safety of the general public in Hartlepool, a safety which the licensing team has a duty to protect.

An example of such is the influx of Uber drivers operating in the town from Newcastle, Middlesbrough and Stockton. In 1 instance there is a driver from Hartlepool who had his badge revoked from Hartlepool council for a serious incident, and then went to Newcastle City Council and got a badge from them and is currently operating in Hartlepool again with our licencing team powerless to do anything.

The more cars which are unable to upgrade to Euro 6 at this point in time will result in more out of town drivers taking over.

The taxi trade has agreed on 2 proposals which are being put forward to enable a smooth transition over to Euro 6 compliant vehicles in a manner which would be affordable and ethical.

We appreciate the council's opportunity to put our side of the situation to them and hope this can help towards a lasting future for the taxi trade in these hard times.

Appendices 1 and 2 are copies of the associated costs involved with replacing vehicles according to the current 5-year age limit and our proposed limit.

The proposals are 2 in number, and both are equally backed by the drivers. The committee can agree to whichever they feel is the more aligned with their requirements as well.

Proposal 1

Introduce the phased removal of non-Euro 6 vehicles from 2025 beginning with the oldest vehicles first when their plates expire.

Then each year after that the next batch of oldest vehicles. Once replacing the owner would be able to have any Euro 6 compliant vehicle from the 1st September 2025 and the 5 year age limit would be scrapped.

An example of this is the oldest current hackney vehicle is a 2006 Skoda Octavia which has a plate that expires on September 2025. This driver would have until September 2025 to run his current vehicle and then he would be able to replace with a Euro 6 vehicle from the time Euro 6 started on 1st September 2015. The 5-year age restriction would be scrapped.

Proposal 2

Extend the current policy until 2026/2027 and then allow the drivers to replace their vehicles with Euro 6 compliant vehicles from the start of the Euro 6 the 1st of September 2015

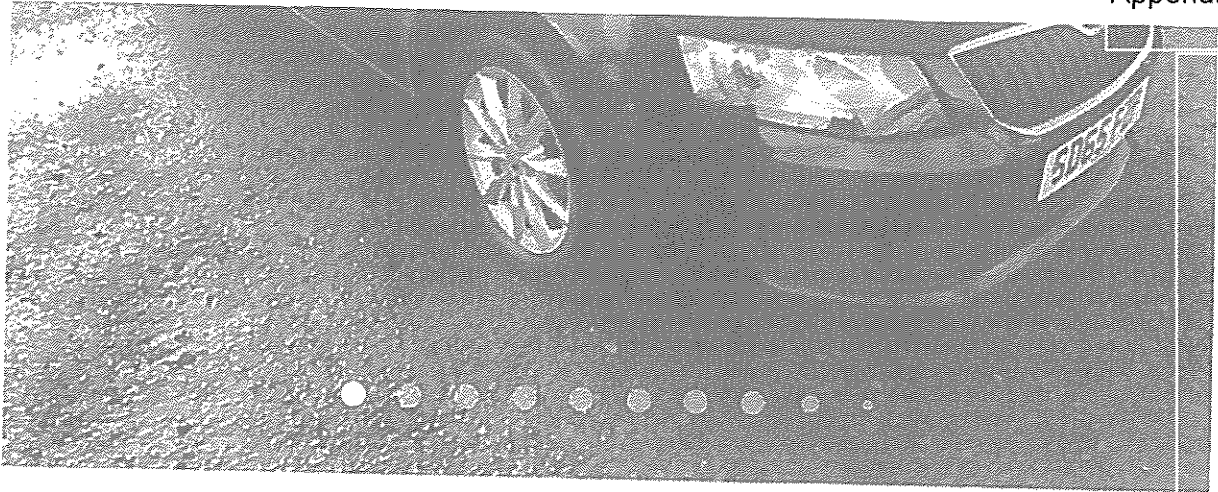
✓ / Said Latif
28-10-2025

Petition To Delay Euro 6 Policy AND
TO REMOVE THE AGE RESTRICTION

Date	Name	Plate No	Registration
22-10-2024		33	NU62YAH
"		11	YLI4UJZ
"		154	YB64 MKO
"		4	MM14 OCH
"		124	Lm64 WYR
"		125	NU11 ZFY
"		25	NK63 XBK
"		20	Y664 URH
26.10.24		84	DY63 VNJ
26.10.24		26	AK10 DHY
26.10.24		132	SP14 LZC
26.10.24		279	NY68 RKS
26.10.24		111	EU662WP
26.10.24		55	LO70 VJV
26.10.24		49	BT67 HHW
26-10-24		34	FU62 UGD
27.10.24		35	B465 TCX
27.10.24		39	NU67 FLP
27-10-24		2109	KY69 LXS
27.10.24		51	NU23 THY
27/10/24		86	BF70 ZCL
28/10/24		174	BW65 HXK
28-10-24		52	B068 RYC
28-10-24		202	NU69 DNN
28/10/24		30	FU60 WPA
28/10/24		73	FM16 YAD
28/10/24		121	YR65 KTA
28/10/24		21	NG18 URW
28/10/24		22	NV20 GRK

Petition To Delay Euro 6 Policy
And To Remove The Age Restriction

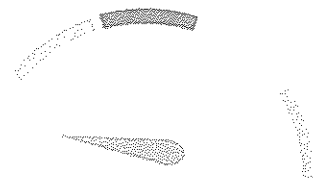
Date	Name	Plate No	Registration	S
22/10/24		19	CXYAO	
22-10-24		9	GF15CUK	
22-10-24		N 138	SL62FWP	
22-10-		144	DE 18AEL	
22/10/24		60	DK 18 TVA	
22/10/24		147	NY19UEN	
22/10/24		110	S29 RSL	
22/10/24		63	NX17 WDU	
22/10/24		158	NK13DXL	
22/10/24		16	GF16OND	
22/10/24		70	NX 14UNG	
22/10/24		29	WP64.HFE	
22/10/24		89	GF19 ZVX	
22/10/24		727	EU 69 2J2	
25/10/24		144	WG59 XNH	
" "		117	NK14 HRG	
" "		36	FR10 FJA	
" "		71	GF15 COA	
" "		140	N363 VNA	
		81	AC06UFB	
25/10/24		61	ND14 SBX	
25/10/24		148	YS63 ODN	
25/10/24		24	FT13FSN	



Skoda Octavia (2015)

1.6 TDI S Euro 6 (s/s) 5dr

£6,495



£488 below market average 

Lower price

Car price	£6,495
Total price	£6,495
Monthly price (CS)	£167 →

Overview

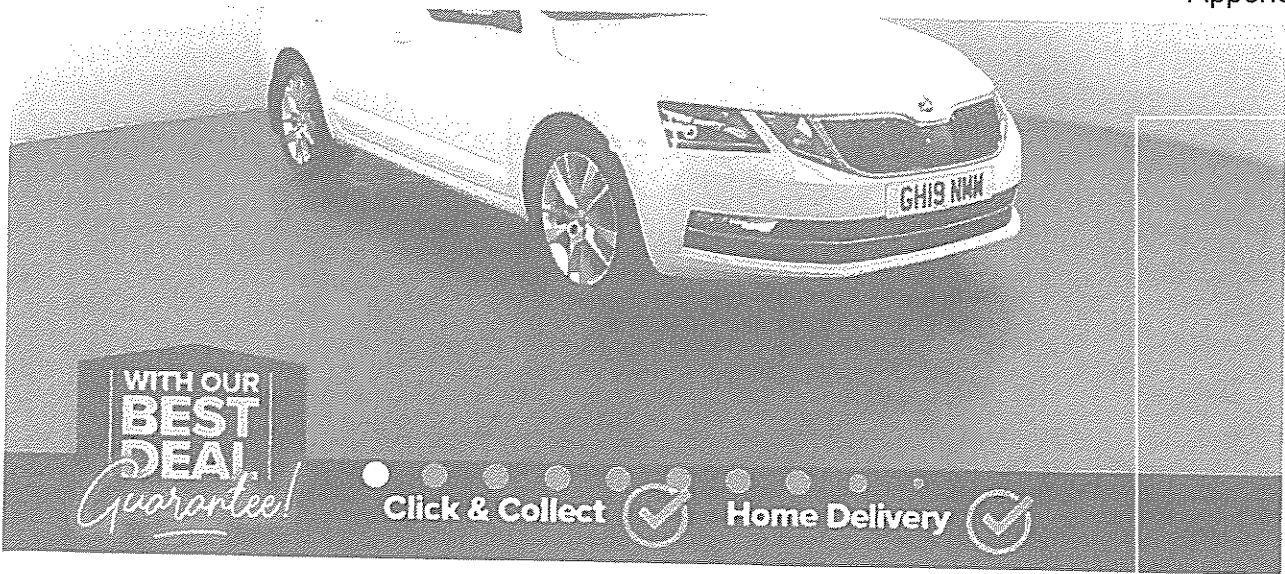
LOW, LOW MILES [SD65FZP]

 **47,000 miles**

Call seller

Text seller

Appendix 1 - Proposed Euro 6 age limit



SKODA OCTAVIA (2019)

2.0 TDI SE L Hatchback 5dr Diesel Manual Euro 6 (s/s)
(150 ps) REAR PARK SENSORS, CRUISE CONTROL

£11,950

Close to market average 



Good price

Car price	£11,950
Total price	£11,950
Monthly price (HP)	£289 →

Overview

CLICK&COLLECT/HOME DELIVERY

 **49,665 miles**

Appendix 2 - Current 5 year car limit

<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england>

Guidance

Taxi and Private Hire Vehicle Licensing best practice guidance for Licensing Authorities in England

(Updated 17 November 2023)

8.4 Vehicle age limits

The frequency of testing required (see [frequency of vehicle tests](#)) to ensure the ongoing safety of vehicles is a separate issue to the setting of maximum age limits at first licensing, or maximum age limits beyond which an authority will not licence a vehicle.

The setting of an arbitrary age limit may be inappropriate, counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences. A 5-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality.

Licensing authorities should not impose age limits for the licensing of vehicles instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.

<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england>

Guidance

Taxi and Private Hire Vehicle Licensing best practice guidance for Licensing Authorities in England

(Updated 17 November 2023)

8.6 Environmental considerations

The UK is committed to a 2050 net zero target. This puts the UK on track to end our contribution to climate change, becoming one of the first major economies to legislate for net zero emissions. On transport, government is phasing out the sale of new petrol and diesel cars and vans, from 2035 all new cars and vans must be zero emissions at the tailpipe.

Where clean air zones are introduced, authorities will already be working to address local environmental considerations under the [Clean Air Zones Framework](#). More widely, licensing authorities, in discussion with those responsible for environmental health issues, will wish to consider how its vehicle licensing policies can and should support any environmental policies adopted by the local authority. This will be particularly important in designated air quality management areas or low/ultra-low emission zones.

Licensing teams should work with council colleagues with air quality and climate responsibilities to ensure taxi and private hire vehicle fleets play their part in work to tackle local emissions. Leading areas cite large-scale change in these fleets needs a longer-term strategy, with a coordinated approach across council teams and local trades, that considers licencing requirements, other supportive policies (for example, try-before-you-buy scheme), and, in the context of moving to a fully zero emission vehicle fleet, a strategy for supporting the installation of electric vehicle charge points.

Taxis and private hire vehicles that operate predominantly in urban areas can be significant contributors to poor local air quality, if not properly maintained and regularly checked, due to their higher usage.

Licensing authorities should carefully and thoroughly assess the impact of vehicle emission requirements to enable the sector to plan for the future. The short-term

Appendix 3 – DfT Guidance, Environmental Considerations

objective should be to mitigate the harm from internal combustion engines through the setting of high EURO emission standards for example, EURO 6 but, in the long-term, the trade will need to be fully prepared for the end of the sale of new petrol and diesel cars and the need to transition to zero emission vehicles. Licensing authorities should set out their own long-term plan in good time.

In response to local air quality concerns, many licensing authorities are considering how to support the use of [ultra-low or zero emission vehicles given the growing range of vehicles](#) available. As stated in the [vehicle age limit section of this guidance](#), greater flexibility regarding the age of vehicles licensed can result in more rapid improvement in air quality than mandating new 'clean' internal combustion engine vehicles.

Air Quality Benefits of Enforcing Euro 6 Emissions Standards for Taxis

Ensuring that all taxis meet Euro 6 emissions standards by April 2025 will provide clear, measurable improvements to air quality across the borough. Euro 6 vehicles emit far lower levels of harmful pollutants, including nitrogen oxides (NOx) and particulate matter (PM), which are major contributors to air pollution. This is particularly important in high-traffic urban areas, where taxis operate frequently. By upgrading the taxi fleet to meet this standard, the borough will see a reduction in these pollutants, helping to improve public health and meet national and local air quality targets. By adhering to the deadline, we can reduce pollution levels, improve public health outcomes, and progress towards statutory air quality targets. Euro 6-compliant vehicles will make a substantial difference in reducing emissions in key locations. Delaying the transition further would prolong the presence of higher-polluting vehicles in key areas, undermining efforts to reduce pollution and improve air quality for local residents.

Zoe Craig | Environmental Health Manager (Environmental Protection)

Hartlepool Borough Council

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Twitter: twitter.com/HpoolCouncil

<https://middlesbrough-council-middlesbrough.opendata.arcgis.com/documents/middlesbrough-councils-private-hire-and-hackney-carriage-licensing-policy-2022-/explore>

Middlesbrough Council's Private Hire and Hackney Carriage Licensing Policy 2022

Environmental Considerations

174. The DOT guidance asks licensing authorities to consider how far their vehicle licensing policies can and should support any local environmental policies that may have been adopted, bearing in mind the need to ensure that benefits outweigh costs (in whatever form). They suggest that authorities may, for example, wish to consider setting vehicle emissions standards or promoting cleaner fuels.

175. Hackney carriage and private hire vehicles are an essential form of transport in the Middlesbrough Council area. Many people depend on such vehicles for trips that buses or other forms of public transport are incapable of making. They are able to achieve higher occupancy rates than a private car and so, to some extent, already play their part in helping to achieve environmental improvements in the Borough. It is, however, clearly important that emissions from hackney carriage and private hire vehicles are reduced as far as possible.

176. It is therefore considered that efforts should be made to improve, as far as possible, the efficiency of licensed hackney carriage and private hire vehicles by, in particular, reducing the levels of CO₂ emitted. Liquid petroleum gas (LPG) conversions to vehicles already licensed or to be licensed are therefore acceptable. Any conversion to LPG must be done by an LPG Association approved converter (unless manufactured as a dual fuel vehicle) and the conversion certificate produced to the Council for inspection and all equipment and its installation shall comply with the Motor Vehicle (Construction and Use) Regulations 1986 (as amended) and any current code of practice of the LPG Association.

177. It will be conditional that any spare wheel displaced as a result of any conversion must be stored in a location that does not impinge on the passenger carrying area of the vehicle.

178. Other alternative low emission fuel arrangements will be encouraged as technology improves e.g. electric/ hydrogen powered vehicles.

179. Clearly emissions from hackney carriage and private hire vehicles could be reduced further by encouraging better maintenance of vehicles and by switching off engines when stationary or idling, particularly at taxi ranks. It is, however, proposed that this aspect be tackled through education and promotion.

Restriction and European Emission Standards

180. A Government report suggests that, by adopting targeted air quality policies for road transport, significant reductions can be achieved for noxious pollutants in the atmosphere. It highlights the impact European wide emission limits are having on improving air quality. In private cars, these standards were introduced for new vehicles as follows:

- Euro 1 became mandatory for new cars from 1993.
- Euro 2 became mandatory for new cars from 1997.
- Euro 3 became mandatory for new cars from 2001.
- Euro 4 became mandatory for new cars from 2006.
- Euro 5 became mandatory for new cars from 2011.
- Euro 6 became mandatory for new cars from 2015.

181. Current vehicle policy requirements are that applications for new vehicle licences will only be accepted in respect of vehicles that are no more than five years old from the date of first registration. The licence of any vehicle will then terminate not more than ten years from the date of first registration. This will be extended to twelve years for London Style Cabs and side loading wheelchair accessible vehicles approved by the Council.

<https://www.darlington.gov.uk/media/12723/private-hire-and-hackney-carriage-licensing-policy-2021.pdf>

Darlington Borough Council Private Hire and Hackney Carriage Licensing Policy 2021

Age Restrictions

183. The Council has no age restriction provided all vehicles comply with Euro 6 engine standards or emission free from 1st April 2023. (Wheelchair accessible vehicles will be exempt from this requirement.)

<https://www.redcar-cleveland.gov.uk/licensing-and-permits/taxi-and-private-hire-licences/hackney-carriage-and-private-hire-licensing>

Hackney Carriage and Private Hire Licensing Policy published by Redcar & Cleveland Borough Council 25th November 2021

3.2 Age of Vehicle (Hackney)

3.2.1 In the case of an application for the ‘Grant’ of a vehicle licence, the vehicle shall be under 6 years of age. The vehicle shall not be more than 12 years of age in the case of any application for the renewal of a licence. Vehicles that are 12 years of age or over at the time the policy is published will be allowed to renew the vehicle once following the publication of the policy.

4.2 Age of Vehicle (Private Hire)

4.2.1 In the case of an application for the ‘Grant’ of a vehicle licence, the vehicle shall be under 6 years of age. The vehicle shall not be more than 12 years of age in the case of any application for the renewal of a licence. Vehicles that are 12 years of age or over at the time the policy is published will be allowed to renew the vehicle once following the publication of the policy.

Redcar & Cleveland are revising their policy for the regulation of hackney carriage and private hire licensing, and a draft version is currently out for Consultation.

Some of the key changes proposed in the draft policy are:

- ***The age requirements for vehicles are to be removed***
- ***All new vehicles must meet the Euro 6 emissions standard***
- *The intermediate (6 monthly) test requirement will be removed for vehicles under 6 years of age*
- *Drivers will be required to check vehicles are roadworthy before each shift*
- *Window tinting is to be changed to 30% light transmission for windows other than the front windscreen and front side windows*
- *Private hire vehicles will not be required to display a front plate*
- *Vehicle proprietor and operator basic disclosures can be dated in the last 12 months*
- *Fire extinguisher no longer required in licensed vehicles*
- *Vehicles with an internal screen fitted must install a hearing loop*
- *Operator legislation test can be completed by a responsible person (e.g. office manager)*
- *Various changes to conditions to remove obsolete conditions and to reflect changes in the policy*

<https://www.stockton.gov.uk/article/1514/Introduction>

<https://www.stockton.gov.uk/article/1530/Appendix-G-Private-hire-and-hackney-carriage-vehicle-specifications>

Private Hire and Hackney Carriage Licensing Policy 2021 to 2026

Stockton Borough Council

Age/emission standards

For wheelchair accessible vehicles there is no upper or lower age or emissions limit.

For fully electric or hybrid or LPG vehicles there is no upper or lower age or emissions limit.

Applications for new and replacement hackney carriage and private hire licences for vehicles other than wheelchair accessible or fully electric or hybrid or LPG shall be Euro VI vehicle emission standard or higher. Euro VI vehicle emission standard became mandatory for all vehicles in 2015 and a registration date of 1 September 2015 will be used to comply with policy.

Any renewal of an existing hackney carriage or private hire vehicle other than wheelchair accessible / fully electric / hybrid or LPG will only be granted if the vehicle does not exceed the maximum age limit of twelve years.

Plate No	Reg No	Euro 6 Compliant?
33	NU62 YAH	NO
11	YL14 UJZ	NO
154	YE64 MKO	NO
4	MM14 OCH	NO
124	LM64 WYR	NO
125	NU11 ZFY	NO
25	NK63 XBX	NO
20	YG64 URH	NO
84	DY63 VNJ	NO
26	AK10 DHY	NO
132	SP14 LZC	NO
79	NY68 RHJ	YES
111	EU66 ZWP	YES
55	LD70 VJV	YES
149	BT67 HHW	YES
34	FV62 UGD	NO
35	BL65 TCX	YES
39	NU67 FLP	YES
109	KY69 LXJ	YES
51	NU23 THX	YES
86	BF70 ZCL	YES
174	BU65 HXR	YES
52	EO68 RXC	YES
145	NU69 DNN	YES
30	FV60 NPG	NO
73	GM16 YAD	YES
121	YR65 KTU	YES
21	NG18 URW	YES
22	NV10 GRK	NO
19	CX67 YAO	YES
9	GF15 CUK	YES
138	SL62 FWP	NO
37	DE18 AEL	YES
60	DK18 TVA	YES
147	NY19 UEN	YES
110	S29 RSL	NO
63	NX17 WDU	YES
158	NK13 DXL	NO
16	GF16 OND	YES
70	NX14 UMG	NO
29	WP64 HFE	NO
89	GF19 ZVX	NO
127	EU69 ZJZ	YES
144	WG59 XNH	NO
117	NK14 HRG	NO
36	FR10 FVA	NO
71	GF15 COA	YES
140	NV63 VNA	NO
81	AE06 UFB	NO

61 ND14 SBX	NO
148 YS63 ODN	NO
24 FT13 FSN	NO

REGULATORY SUB COMMITTEE

MINUTES AND DECISION RECORD

5 December 2024

The meeting commenced at 10.00am in the Civic Centre, Hartlepool

Present:

Councillor: Martin Dunbar (In the Chair)

Councillors: Ben Clayton, Rob Darby and John Nelson

Officers: Rachael Readman, Trading Standards and Licensing Manager
Laura Stones, Principal Legal Assistant
Jo Stubbs, Democratic Services Officer

Also present: Matthew Freckleton and Chelsea Thompson, Uber Britannia Ltd
Coby Jones and Kevin Pout, 23 Taxis
Michael Amerigo, Ray Lancaster and Andrew Sutherland, Hackney Carriage drivers

19. Apologies for Absence

None

20. Declarations of interest by Members

None

21. Minutes of the meeting held on 17 October 2024

Minutes approved.

22. Private Hire Operators Licence (*Assistant Director (Regulatory Services)*)

Members were asked to consider granting a new Private Hire Operator Licence to Uber which falls outside the scope of Hartlepool Borough Council Private Hire and Hackney Carriage Licensing Policy.

Matthew Freckleton submitted an application for a five-year Private Hire Operators licence on behalf of Uber Britannia Ltd. As part of this

application Uber would operate from Hartlepool Enterprise Centre on Brougham terrace which is in the controlled area of Hartlepool Borough Council. While this broadly complies with Hartlepool Borough Council's policy regards the need for an operating base in the controlled district of the Council it does not comply with 4/6 of the policy requiring that said base be used for the taking of private hire bookings. As such the decision cannot be delegated to officers and members must make the determination. Uber had advised that all private hire bookings would be managed through their app and records maintained within Uber's computerised record system. Uber did not intend to have a physical server located within the Hartlepool office but Uber's compliance team would have 24-hour access to the Uber record system should this information ever be required. Officers acknowledged that changes needed to be made to the Licensing policy to reflect these technological changes but this would require a full review with public consultation which would not be reasonably practicable for this application.

Mr Pout requested that this application not be granted as it was contrary to the current licensing policy. He asked that a full review of the policy be carried out, including public consultation, before the licence be granted.

Mr Sutherland raised concerns around the safety implications of granting a licence to Uber, specifically whether drivers were fit and proper people. The Trading Standards and Licensing Manager confirmed that licensing officers have cross border authorisations for enforcement purposes. Mr Freckleton advised that Uber would only employ drivers that the regulator deemed fit and proper via the national database. If this was not updated appropriately this was an issue for the regulator not Uber.

In response to member questions Mr Freckleton confirmed the following:

- Uber has 83 operating licences in the UK and Ireland with 83 physical bases. The majority are not manned while some are classed as green light bases where drivers can go for ID and documentation checks.
- Since TFL had removed Uber's licence to operate in London in 2017 improvements had been made and TFL had recently renewed their licence for 2 and a half years which was the maximum allowable in the capital.
- Uber use dynamic pricing which is not controlled by the local authority. This is based on supply and demand meaning passengers may pay more at busier times. The price quoted would be the lowest available for a journey which was guaranteed, something which other taxi companies may not be able to offer. The app offers a variety of vehicle options and prices for them which are confirmed to users at the time of booking.
- Uber drivers own their own vehicles so if any have disabled access these could be included as an option for users of the app. They would

not offer any specific incentives to drivers of accessible vehicle other than the incentives generally offered to their drivers.

Mr Sutherland reiterated his call that consideration of this application be postponed until the policy had been properly reviewed. He also raised concerns around the standard of Uber drivers. The Trading Standards and Licensing Manager clarified that the application could only be refused if Uber was not a fit and proper operator and had refused to accept the conditions of the licensing policy.

The Chair thanked everyone for their attendance at the hearing. All parties left the meeting and members deliberated in closed session. Members discussed the representations received before and during the meeting and made their decision based on these.

All parties then rejoined the meeting.

Decision

That the licence be granted with standard conditions. This was a majority decision.

The meeting concluded at 10.40am

CHAIR