

Licensing Committee

Wednesday, 11 August 2020

Present: Councillor Barton, Councillor Buston, Councillor Chuah, Councillor Elliott, Councillor Harris, Councillor Hogg, Councillor B. Oxford, Councillor Wood, Councillor T. Young.

Substitutes: Councillor J Mclean for Councillor Moore

106. Minutes of previous meeting

RESOLVED that the minutes of the meeting held on 10 June 2020 were confirmed as a correct record.

107. CCTV Consultation update

Sarah White, Senior Licensing Officer attended to present the report and assist the Committee with their enquiries. Sarah explained that the intention was to bring a full consultation response back to the Committee at the next meeting on 30 September 2020. She reminded the Committee that the consultation in relation to the proposed policy had been run earlier in the year, and had been extended until 12 July 2020 in recognition of the difficulties posed by the Covid-19 crisis. The Committee were advised that there had been a good response to the consultation in terms of the number of responses received, and these would all be placed before the Committee for their consideration.

RESOLVED: That the contents of the report be noted.

108. Changes to the Hackney Carriage and Private Hire Licensing Policy

Sarah White, Senior Licensing Officer attended to present the report and assist the Committee with their enquiries. The Committee were reminded that they had approved changes to the Councils Hackney Carriage and Private Hire Licensing Policy, subject to a consultation, which had been carried out between 18 May 2020 and 31 July. No responses had been received to this consultation, and the Committee were therefore requested to approve the changes and recommend that these be presented to Full Council for adoption. The key changes that had been made to the policy were highlighted, including a new requirement that hackney carriage proprietors obtain a Disclosure and Barring Service (DBS) certificate in line with new guidance from the Department for Transport. A requirement had also been introduced to ensure that the Council was notified when a licensed vehicle was sold to another proprietor for continued use as a licensed vehicle. In addition to these changes, non-British drivers

now had to obtain a counterpart licence from the Driver and Vehicle Licensing Agency (DVLA) to enable driving convictions obtained in the United Kingdom to be checked.

In response to an enquiry from Councillor Maclean, Sarah White confirmed that the change made that required hackney carriage proprietors have to obtain a DBS certificate now meant that the policy was uniform in this regard and that proprietors, private hire operators and drivers now all had to produce this document.

The Committee registered their approval of the proposed changes, which they considered to be reasonable and sensible, allowing a greater level of checks to be carried out on licence holders.

RESOLVED: that the following amendments be made to the Council's Hackney Carriage and Private Hire Licensing Policy and the amended Policy be proposed to Council for formal adoption;

Hackney Carriage Proprietors' Suitability

5.3 The application process to be amended to require hackney carriage proprietors, including joint owners, to provide the following information, in addition to the information already provided in relation to the vehicle being licensed –

- A current Passport or Birth Certificate
- Evidence that they may legally work in the UK*
 - * Please note - If circumstances come to light during the lifetime of the licence that they no longer have a right to work in the UK, the licence will be revoked.
- A basic Disclosure and Barring Service Check accompanied by a list of all previous convictions and any other relevant material information. The disclosure must be less than three months old when the application is made. Thereafter a DBS must be submitted every year. If they are also a licensed driver with the Council this requirement would not apply.
- Proof of completion of safeguarding training.

5.4 The following test be included at Paragraph 2.3 of the Policy and used when deciding the suitability of an individual –

“Would I be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arising suspicion and be satisfied that he/she would not allow it to be used for criminal or other unacceptable purposes and be confident that he/she would maintain it to an acceptable standard throughout the period of the licence.”

5.5 The minimum age for vehicle proprietors be set at 18 years or over.

Use of Meters

5.6 To add to Paragraph 8 of the Annex on hackney carriage vehicles and Paragraph 8 on the Annex on private hire vehicles that the meter must be turned on at the start of every journey.

Driver Conditions – Pre-licensing Standards

- 5.7 That Annex 1 of the Policy relating to Driver Conditions be amended to add an additional requirement to the pre-licensing standards that applicants holding an EU country driving licence must obtain a UK counterpart licence from the DVLA before they can be considered for a hackney carriage/private hire driver's licence and the details must be disclosed to the Council. Applicants from all other countries must apply for a full UK DVLA licence before being considered.

Selling a Vehicle

- 5.8 To add to the hackney and private hire conditions the following –

If the vehicle is sold to someone else who is going to use it for hackney/private hire work the Council must be informed, in writing within 14 days, of the name and address of the new owner. If this is not done the existing owner will remain responsible for the hackney carriage or private vehicle licence. A fee will be charged to transfer the licence to the new owner

108. Report of Urgent Action Taken / Hackney Carriage and Private Hire Licensing Policy

Sarah White, Senior Licensing Officer attended to present the report and assist the Committee with their enquiries. The Committee heard that urgent action had required to be taken to get the taxi licensing function up and running following the shut down of service provision caused by the Covid-19 emergency. Existing licenses had been extended and action had been taken to allow the full range of services to be provided to licence holders remotely in a new and safe way, and procedures had needed to be altered to allow for this. The changes required had been approved by the Chair of Scrutiny Panel

RESOLVED: that the changes made to the Council's Hackney Carriage and Private Hire Licensing Policy pursuant to the provisions of Rule 18 of the Council Procedure Rules be noted.

109. Licensing Committee Work Programme 2020-2021

Matthew Evans, Democratic Services Officer, introduced the work programme 2020-2021.

RESOLVED that the contents of the work programme be noted.