

**LICENSING COMMITTEE
27TH FEBRUARY 2018**

PRESENT: Councillor Pacey (Chair)
Councillors Jones and Tillotson (Vice-chairs)
Councillors Bentley, Brookes, Capleton, Hamilton,
Lowe, Murphy, Radford, Savage and Smith

Head of Regulatory Services
Licensing Manager
Licensing Enforcement Officer (PR)
Democratic Services Manager
Democratic Services Officer (LS)

APOLOGIES: Councillors Gaskell and Sutherland

The Chair stated that this meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

1. MINUTES

The minutes of the meeting of the Committee held on 18th April 2017 were confirmed as a correct record and signed.

2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

3. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 12.8

No questions had been submitted.

Councillor Lowe arrived at the meeting at 5.04pm.

4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY – 12 MONTH REVIEW

Councillor Jones arrived at the meeting at 5.09pm.

A report of the Head of Regulatory Services was submitted to review the new Hackney Carriage and Private Hire Licensing Policy 12 months after it had been approved by the Committee (see Licensing Committee Minute 19.5, 28th February 2017) (item 5 on the agenda filed with these minutes).

In summary, the Committee discussed:

- (i) the tests which drivers were required to take, the experience to date with those and the assistance available to drivers, expressing support for the requirement being applied to all and including the knowledge or geographical test.
- (ii) the numbers of Hackney Carriage and Private Hire vehicles;
- (iii) the current consultation by the Institute of Licensing on proposed Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades;
- (iv) work to look at a possible National Register for drivers and what useful information that might provide for licensing authorities, expressing support for this;
- (v) the value of the new vehicle front plates and signage, in particular to the public. A further press release would be useful, once the period for introducing the new signage was complete.

RESOLVED

1. that the information regarding the implementation of the new Hackney Carriage and Private Hire Licensing Policy, as set out in the report of the Head of Regulatory Services, be noted;
2. that further updates on how the new Hackney Carriage and Private Hire Licensing Policy is working be provided as part of the Licensing Performance Update email which is circulated to members of the Committee every six months, in particular to include information on the number of Hackney Carriage vehicles and Private Hire vehicles.

Reasons

1. The Committee had wished to monitor the introduction of the Combined Driver's Licence (in respect of a potential increase in the number of hackney carriages) and had asked that the Head of Regulatory Services submit a further report to review how the new Hackney Carriage and Private Hire Licensing Policy was working, 12 months after its introduction.
2. The Committee was content with how the new Policy was working 12 months after its introduction, but wished to receive further updates on the matter in the way set out. The Committee noted that the Hackney Carriage and Private Hire Licensing Policy would need to be reviewed in full by the Committee in February 2020, but that the Committee could consider the Policy again sooner, if any concerns or issues arose.

Councillor Bentley arrived at the meeting at 5.34pm.

5. DECISIONS TO SUSPEND OR REVOKE PERSONAL LICENCES FOLLOWING CONVICTIONS

A report of the Head of Regulatory Services was submitted to determine the procedure for hearing applications to suspend/revoke Personal Licences issued by the Council (item 6 on the agenda filed with these minutes).

In summary, the Committee discussed:

- (i) the right of appeal should a personal licence be suspended or revoked being to the Magistrates Court;
- (ii) listed offences were relevant to whether a licence was suspended or revoked, they did not require such action automatically;
- (iii) that licensing authorities were very much reliant on information being provided by others/disclosure in respect of this matter and that there was no National Register to enable information to be shared on personal licence applicants/holders;
- (iv) the flow chart set out in Appendix 3 to the report of the Head of Regulatory Services was useful in understanding the process followed before a matter was referred to a Licensing Committee (or Sub-committee).

RESOLVED that the Committee's decision making powers in respect of applications to suspend/revoke Personal Licences be delegated to a Licensing Sub-Committee (the hearing procedure and timescales that apply to a contested Personal Licence application can apply to applications to suspend/revoke personal licences).

Reason

To ensure that the Regulatory Services Licensing Team have procedures in place, to be followed when it becomes aware of a Personal Licence issued by the Council that may require suspension or revocation.

NOTES

1. No reference may be made to these minutes at the Council meeting on 30th April 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of the minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Committee.