

## LICENSING COMMITTEE

### Minutes of a meeting of the Licensing Committee held on Tuesday 20 December 2016 at 6pm at Addenbrooke House, Ironmasters Way, Telford

A

**Present:** Councillors C Mason (Chair), M Boylan, G Cook, I Fletcher, J Francis, M Hosken, S J Reynolds, J Seymour, and C Turley.

**In Attendance:** A Astley (Assistant Director - Neighbourhood & Customer Services), S Fisher (Principal Licensing Officer), P Martin (Legal Services) and J Clarke (Democratic and Scrutiny Officer).

#### **LC -12                    Apologies for Absence**

Councillor M Smith.

#### **LC -13                    Declarations of Interest**

None.

#### **LC -14                    Minutes**

**Resolved** – that the minutes of the meeting of the Licensing Committee held on 11 October 2016 be confirmed and signed by the Chairman.

#### **LC -15                    Review of the Council's Hackney Carriage and Private Hire Licence Policies and Conditions**

The Principal Licensing Officer presented the report of the Service Delivery Manager which asked Members to approve a revision to the Council's Hackney Carriage and Private Hire Licensing Policies and Licensing Conditions following a 12 week consultation. Having regard to all of the representations made during the consultation further amendments were made to the Policies and conditions where appropriate, which were before the Committee. An addendum to the report was tabled at the meeting which referred to "have two satisfactory references" which was removed in error prior to the consultation. This was not onerous to applicants, but was something that consultees may have wished to comment on. The Principal Licensing Officer highlighted the significant amendments to the documents which included multi-purpose vehicles, signage on Private Hire Vehicles which included the removal of the roof sign and front plate and replacement with door signs and the convictions policy regarding sexual offences and serious road traffic offences.

During the ensuing discussion, some members asked whether the drivers would be tempted to remove the proposed new signage from their vehicles. The Principal Licensing Officer reassured Members that the proposed signage could only be removed by an authorised officer of the Council and that due to the nature of the materials, this would have to be done using a hairdryer. It was also asked if a 6 monthly check could be undertaken in order to ensure that roof signs had been removed where necessary. It was confirmed that compliance checks were

undertaken. A question was raised regarding the issuing of licences if a cheque hadn't cleared (P10 11.2). The Principal Licensing Officer informed Members that statute stated "payment upon grant" so they would not be able to present cheque payments prior to the licence being granted, cheques were rarely used for payment and if there was an issue with a cheque this would be dealt with immediately. Some Members raised issues with regard to tinting on modern car windows and the automatic locking of car doors. The Principal Licensing Officer confirmed that a report regarding the issue of tinted windows would be brought before Members. Door Locks would be checked to ensure they were working properly during safety checks. Concerns were raised regarding breach of conditions and drivers understanding of conditions especially with regard to child sexual exploitation (CSE). The Principal Licensing Officer informed Members that applicants were directed to the conditions on the website and attended driver awareness training prior to being granted a licence. The first 25 questions on the driver test were based on the conditions and the "Dos and Don'ts" and there were 4 questions on CSE. The drivers were handed conditions with their licence and they were told to retain a copy of the conditions which could be used as a reference point. New drivers were receiving CSE training and current drivers were receiving 1-1 training on CSE upon renewal of their licences. A question was raised regarding "vaping" in taxis. The Legal Adviser confirmed that this was covered under "smoking". Some Members asked if a copy of the information relating to Child Sexual Exploitation provided by Telford and Wrekin to Operators could be circulated to all Members of the Committee and the Principal Licensing Officer confirmed that this would be done.

During the discussion the following amendments were requested by Members:

- P6 – Personal Data – 15<sup>th</sup> Bullet point be amended to read "Outcomes of Criminal Records Checks (De-Barring Service)"
- P6 – Personal Data - amend numbering of "4.3" to "4.2"
- P9 – 9.2 – be amended to read ". . . In such circumstances the Council strongly advises parties to seek appropriate independent legal advice promptly".
- P10 – 11.2 – Second Bullet Point - amend to read "If an application for a licence . . ."
- P18 – 13.5.1 – be amended to read ". . . Drive and Vehicle Standards Agency (DVSA)
- P18 – 13.5.2 – third line change "user's" to "users' "
- P23 – 1.6.2 – re-number "19.1" to "14.6.1"
- P28 - 2.1.4 - remove duplication of words "with a"
- P41 – 2.5 – be amended to read "When a Private Hire vehicle licence is suspended, for whatever reason, the licence plate . . ."

- P42 – 3.1 – remove words “and an engine capacity not less than 1600cc”
- P42 – 3.1 – re number paragraphs 3.2, 3.3, 3.4, 3.5, 3.6 and 3.7
- Taxi (Hackney Carriage) and Private Hire Licensing Policy for Determining the Suitability of a Person to hold a Licence
  - General Policy – Defining a fit and proper person
    - first bullet point - remove the “y” from “honesty”
    - third bullet point – change to read “. . . safety of their vehicles at all times. Passengers rely on their driver . . .”
  - General Policy – Licensing Offences
    - First sentence change “here” to “where”
  - Serious Road Traffic Offences
    - Third Paragraph first sentence insert the word “of” between “driving passengers”
    - Serious Road Traffic Offences – Fourth Paragraph beginning “An isolated conviction for Serious Road Traffic Offence . . . IN10-UT50 . . .” – check how this was reading and re-write if necessary. Also change “should” to “would” and remove the word “normally” from this paragraph
- Telford & Wrekin Council Compliance Standards for Private Hire Vehicles
  - Identification Plates
    - Third paragraph amend to read “When a Private Hire Vehicle licence is suspended, for whatever reason, the licence plate . . .”

Having considered all the relevant information before the Committee it was proposed and seconded to amend the recommendations to take in the amendments from the report, the addendum and those made by the Committee during the discussions.

Upon being put to the vote it was unanimously:-

**RESOLVED - that:**

- a) **the proposed amendments to the revised policies and conditions of licence contained within the report of the Service Delivery Manager, Public Protection; and**

- b) the proposed amendment to paragraph 12.3.1 of the Licensing policy Hackney Carriage and Private Hire contained in the Addendum to the report of the Service Delivery Manager, Public Protection; and**
- c) the amendments to the revised policies and conditions of licence contained within the report of the Service Delivery Manager, Public Protection as proposed by members of the Committee;**

**be agreed for implementation on 1 April 2017.**

The meeting ended at 7.33 pm.

**Chairman:** .....

**Date:** .....