

## Minutes of Licensing Committee

Meeting Date: Tuesday, 23 June 2015 starting at 6.30pm  
Present: Councillor J Alcock (Chairman)

Councillors:

I Brown	J Holgate
S Brunskill	S Knox
P Elms	G Scott
M Fenton	J White
R Hargreaves	
S Hind	
S Hirst	

In attendance: Head of Legal and Democratic Services and Solicitor.

Not in attendance: - Councillor R Bennett.

### 107 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors S Atkinson and G Geldard.

### 108 MINUTES

The minutes of the meeting held on 17 March 2015 were approved as a correct record and signed by the Chairman.

### 109 MINUTES OF LICENSING SUB-COMMITTEE DATED 15 APRIL 2015.

Committee received the minutes of the Licensing Sub-Committee in respect of the Lower Buck at Waddington held on 15 April 2015.

### 110 DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

### 111 PUBLIC PARTICIPATION

There was no public participation.

### 112 BRIEFING SESSION ON THE ROLE OF COMMITTEE

The Head of Legal and Democratic Services gave a brief résumé of the remit of the Licensing Committee. She informed Committee of the various members of staff and their responsibilities in relation to the Licensing Committee. Licences issued include those for taxis, alcohol, gambling, scrap metal and sex establishments based on combination of statutory requirements and policies formulated by the Council. One feature of being part of the Licensing Committee

also means that from time to time, Members may be requested to be part of a Sub-Committee to make decisions on issues such as applications for premises licences where objections have arisen; the appropriate sanctions to be imposed where there have been infringements of the Council's Conditions of Licence for taxi/private hire drivers, operators or vehicle licence holders or whether an application/licence holder is a fit and proper /suitable person to hold a licence. Another element of the Licensing Committee was to receive the minutes of the Ribble Valley Safety Advisory Group.

113            **REPORT ON CONSULTATION ON DISCLOSURE AND BARRING SERVICE AND DRIVERS LICENCE CHECKS**

The Chief Executive submitted a report seeking Committee's approval in relation to two changes to the process of licensing drivers, namely the use of a third party to carry out Disclosure and Barring Service checks and additional drivers licence checks. It had been brought to committee's attention that there were potential changes to the procedure for licensing drivers in relation to the DBS checks and the effect of the abolition of the paper counterpart to a DVLA drivers licence. Licence holders had been consulted upon the Council's proposals and the response to that consultation was outlined for Committee's information. Three responses had been received with regard to the DBS checks and three responses had been received with regard to the drivers licence checks.

RESOLVED: That Committee:

1.        approve the use of a third party service provider to process DBS checks with any associated costs being borne by the licence holder in the event that the Council's status as a registered body for the DBS service is withdrawn; and
2.        approve the introduction of additional checks on driver's licences to validate information previously contained in the paper counterpart of a DVLA licence and that any associated costs should be borne by the licence holders.

114            **STEERING TO SUCCESS – RECOMMENDATIONS OF THE WORKING GROUP**

The Chief Executive submitted a report seeking Committee's approval to consult licence holders on the recommendations of the Working Group. The Solicitor reminded Committee that a report had been considered by them which highlighted issues which had been raised regarding the removal of the temporary licence for private hire drivers. Following public participation at the last meeting, it became clear that the issue arose more particularly from the need to complete the Steering to Success course before a licence was issued for both private hire vehicle drivers and hackney carriage vehicle drivers. A working group had been established to consider the content and organisation of the Steering to Success course and licence holders had been consulted. The working group had met twice and considered what arrangements were in place in the surrounding

authorities as well as the views of the licence holders. Five responses had been received to the consultation.

The working group had considered the alternatives to the Steering to Success course and felt that the requirement that this must be passed before a licence be issued should be removed but it should be replaced by a requirement that all applicants provide evidence that they have passed the DVSA taxi driving test before a licence is issued, with an additional requirement that an applicant should also complete and pass the NVQ within 12 months of the licence being issued. This would provide a practical driving and wheelchair assessment prior to the issue of a licence; require a higher level of maths and English; include more detailed knowledge of disability issues; is a national qualification which is transferable and more widely available; contains assessment on safety requirements and maintenance of the vehicle; and assessment on knowledge of the legislation applicable to private hire and hackney carriage drivers operators and vehicles.

RESOLVED: That Committee authorise the Head of Legal and Democratic Services to consult licence holders upon the recommendations of the working group as outlined above.

#### 115 REPORT ON PROPOSED AMENDMENT OF COUNCIL'S CONDITIONS OF LICENCE FOR PRIVATE HIRE VEHICLES

The Chief Executive submitted a report seeking Committee's approval to consult licence holders upon proposed amendments to the standard conditions of licence for private hire vehicles and consequential amendments to the Council's Infringement Points Scheme. The proposed amendment related to the signs displayed on the doors of private hire vehicles stating that only advanced bookings should be made and that the car was not insured unless pre-booked, and should not contain the words 'taxi'. The purpose of the sign is to alert the public that the vehicle is licensed as a private hire vehicle rather than hackney carriage vehicle and therefore cannot ply for hire and may only be booked through a licensed private hire operator. The implications for the public of not doing so would be that they may be transported in an uninsured vehicle. Concerns had been raised by the Council's Taxi Enforcement Officer that whilst this condition was being complied with in general terms, the size of the signs and writing thereon was not defined and therefore in some cases was too small to read. It was therefore proposed that condition 20 be amended to include specific dimensions. This would have the consequence of it being necessary to amend the Council's Infringement Points Scheme to reflect this amendment. It was suggested that condition 20 read as follows:

A private hire vehicle must:

- (a) not have any lights, plates, signs, advertisements or other fittings, save for those required under conditions or as approved by the Council;
- (b) not be equipped with any roof fitting or sign other than a wireless aerial, approved by the Council;
- (c) not display the words "Taxi", "Taxi Cab" or "Cab";

(d) display door signs upon its rear doors stating "Private Hire Vehicle", "Advanced bookings only" and "Not insured unless prebooked" only and the lettering within those signs must be in bold black type and not less than 15mm in height. These signs must be displayed on private hire vehicles AT ALL TIMES (including when the vehicle is not in use);

(e) display door signs upon its front doors which shall only include the name of the private hire operator and its telephone number. If the words "Taxi", "Taxi Cab" or "Cab" or "for hire" form part of the Operator's name these must be omitted from the sign; and

(f) display a sign stating "no smoking" with a minimum diameter of 70mm inside the vehicle in a position which is clearly visible to the hirer/passengers."

RESOLVED: That Committee authorise the Head of Legal and Democratic Services to consult upon the proposed amendment to condition 20 of the Council's standard condition of private hire vehicle licence and to the Council's Infringement Points Scheme.

116 RIBBLE VALLEY SAFETY ADVISORY GROUP

Committee received the notes of the meeting of the Ribble Valley Safety Advisory Group dated 21 May 2015.

RESOLVED: That the notes be noted.

The meeting closed at 7pm.

If you have any queries on these minutes please contact Diane Rice (414418).