

LICENSING COMMITTEE**MINUTES OF MEETING HELD ON 21 MARCH 2019****I N D E X**

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LICENSING COMMITTEE

MINUTES OF MEETING HELD ON 21 MARCH 2019

Present:

	Councillor M Gordon	in the Chair	
Councillor J Austen			Councillor P R Kerry
" G Butler			" H Laws
" M Emmens			" L Robinson
" M Foster			" R Welton
" D Hancock			" J Windle

Also Present:

Kevin Shillitto – Solicitor
Alan Maher – Governance Officer
Victoria Dawson – Solicitor – Team Manager (Contentious)
Jade Lewis – Governance Apprentice
Damon Stanton – Governance Officer

649 Apologies for Absence

Apologies for absence were received from Councillors C D Huckerby, A Cooper, B Ridgway and M Thacker.

650 Declarations of Interest

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

No interests were declared at this meeting.

651 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of the Licensing Committee held on 25 October 2018 and the Minutes of the special Licensing Committee held on 24 January 2019 be approved as a correct record and signed by the Chair.

652 Statutory Guidance for Licensing Authorities: “Taxi and Private Hire Vehicle Licensing: Protecting Users” – Response to Draft Consultation

The Report No EHM/22/18-19/SG of the Environmental Health Manager to Committee asked Members to consider and agree the Council’s response to the consultation exercise on the Draft Statutory Guidance, issued by the Department of Transport: Taxi and Private Vehicle Licensing: Protecting Users.

Members heard that many of the specific recommendations contained in the Draft Statutory Guidance were already in line with the Council’s own arrangements; such as the proposed requirements for the holder of every taxi operator’s licence to subscribe to the Disclosure and Barring Service (DBS) Update Service. Members welcomed this.

Committee considered in detail the specific recommendation that appropriate DBS checks on drivers ought to be carried out every six months. Committee felt that the proposed change should be supported. There was a consensus that it would be sensible and contribute to public safety.

Committee recognised that such a change might place additional workload pressures on the service, which were discussed. However, Members felt that a cost benefit analysis could be carried out in order to determine just how great in practice these pressures were likely to be.

Members also felt that if the Government does decide to impose this new requirement on Licensing Authorities then the impact ought to be reviewed periodically and reported to the Committee.

In this context, Committee noted that the consultation exercise on the statutory guidance would conclude on 22 April 2019. The Government would then consider the comments which it had received before deciding what changes, if any, to make to the draft Statutory Guidance and when the final version should be published. Members were told that there was no firm timetable for this.

RESOLVED –

- (1) That Licensing Committee approves the proposed response to the Department of Transport Draft Statutory Guidance: “Taxi and Private Hire Vehicle Licensing: Protecting Users”.
- (2) That the proposed response be now submitted to the Department for Transport.

653 Urgent Business

With the agreement of the Chair, Members received copies of the new Decision Notice Templates. These templates will be used to record Sub-Committee Decisions on applications for Premises Licences and when they

determine whether a named individual is a fit and proper person to hold a Hackney Carriage/Private Hire Vehicle Driver's Licence with the Authority.

The new templates were based on a best practice approach, which has already been adopted in other areas. They would help to capture the factual information and other issues which Sub-Committees have taken into account when reaching their decisions.

Members considered and welcomed the new Decision Notice Templates.

Committee then discussed the process for producing Decision Notices following on from Sub-Committee meetings. Members learned about operational changes which had been put in place to ensure that these decision notices are prepared for Sub-Committee Chairs to sign as soon as possible and to avoid any delays in the process. The Committee also welcomed this.

RESOLVED – That Licensing Committee note the new Decision Notice Templates for recording the decisions of the Sub-Committee.
