

SPECIAL COMMUNITIES SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON 10 JANUARY 2020

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MINUTES OF MEETING HELD ON 10 JANUARY 2020

Present:

Councillor K Tait	(Chair)
Councillor O Gomez Reaney	(Vice-Chair)
Councillor J Birkin	Councillor D Hancock
L Deighton	" M Foster

Also Present

Sue Veerman	-	Overview & Scrutiny Manager
Kevin Shillito	-	Solicitor
Matt Finn	-	Environmental Health Manager
Damon Stanton	-	Governance Officer

442 Apologies for Absence

Apologies for absence were received from Councillors R Hall and J Lilley.

Councillor R Hall wished for it to be noted that his absence from the meeting was due to him having a significant interest in agenda items 3 and 4.

443 Declarations of Interest

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

There were no declarations of interest declared at this meeting.

444 Licensing Procedure Note

Members considered an amendment to the Licensing Procedure Note. The revised procedure had been approved by the Licensing Committee at its meeting on 17 October 2019, subject to consideration from the Communities Scrutiny Committee.

The Solicitor and the Environmental Health Manager were present at the meeting to clarify the procedure and to answer any questions from Members. The Committee heard that there had been a number of applicants presented to the Licensing Sub-Committee who had relatively minor and historical offences, some of which were deemed to be no longer relevant. The officers explained that the revised procedure would filter applicants, and it was hoped that this would prevent those with minor or historical convictions from going to a Licensing Sub-Committee.

It was stated that in cases where an applicant had historical or minor convictions which may no longer be relevant the Licensing Team Leader or Environmental Health Manager would, in consultation with the Chair or Vice Chair of the Licensing Committee and a Council solicitor, make a decision as to whether or not the applicant should be presented to a Sub-Committee for Members consideration.

Members enquired about the context of historical offences in respect of the policy, and stated that more guidance in the policy could help prevent mistakes. The officers agreed to incorporate more guidance into the policy, and would return to the Committee with further details in the near future.

Members discussed DBS checks and convictions, and the weight attached to a conviction when considering if an applicant was to be considered 'fit and proper' to hold a taxi licence. The Committee had a wide ranging discussion on criminal record checks, which included DBS checks and 'certificates of good conduct' from applicants who had lived outside of the UK.

The officers informed the Committee that a policy was normally reviewed every three years, and as such preparation was underway to review the Taxi Licensing Policy that the Council had adopted in 2018. Members asked for the outcome of the Taxi Licensing review to be brought back to the Communities Scrutiny Committee for their consideration.

RESOLVED – That, the draft additional guidance on convictions to be included in the Policy be submitted back to the Communities Scrutiny Committee for consideration.

445 CCTV in Taxis

The Solicitor informed the Committee that the timetable for the review had been adjusted and the Officer planned to take a comprehensive paper on CCTV installation in taxis to the General Licensing Committee on 12 March 2020.

Members and officers discussed the process of the data protection impact assessment, and issues regarding footage control. It was stated that the policy needed to adhere to the Information Commissioner's Office (ICO) guidance, so that the use of CCTV was justified. The Committee referred to the interview with the Rotherham Borough Council Licensing Manager at the previous meeting, and the potential benefits of joint procurement between the Councils with regards to using a shared supplier.

The Committee had a wide ranging discussion on the security and safety it could bring to both passengers and drivers. Members highlighted a number of cases in which CCTV had prevented serious crimes and protected the public. It was stated that it could help weaken county lines drug gangs and prevent child sexual exploitation. The Committee also asked that the Officer check whether the Council could compel its contractors to have CCTV in taxis.

Members also recognised that it was not possible to prevent taxis with licences from different authorities from operating in the District. However, they felt very strongly that it was important that North East Derbyshire District Council, within its own area, led from the front.

The Solicitor informed Members that he was preparing the documents for the policy based on the Government's draft Guidance to Local Authorities.

The Officer also discussed the Local Government Association (LGA) guidance, and ways in which the Council needed to build up its evidence base so that the proposed policy could be justified. The Committee also stated that it was crucial the Council had a good relationship with the Police and Derbyshire County Council. The Committee was keen to ensure that all relevant agencies shared information.

The Solicitor outlined that the draft Policy would be brought before the General Licensing Committee on 12 March 2020 for approval, where it would then go out for consultation. The Officer agreed to bring the draft Policy to the Communities Scrutiny Committee on 28 February 2020 prior to its submission to the Licensing Committee on 12 March 2020. It would then return to the Committee after the consultation exercise for further consideration.

The Committee thanked the officers for the work they had undertaken in this area.

RESOLVED – That the update be noted.
