

**Minutes of a meeting of Licensing Committee
held on Tuesday, 22nd September, 2020
from 4.00 pm - 4.38 pm**

Present: J Knight (Chair)
Anthea Lea (Vice-Chair)

G Allen	L Gibbs	G Marsh
P Chapman	I Gibson	S Smith
R Cromie	J Henwood	R Webb
J Dabell	C Laband	N Webster

Absent: Councillors N Walker

Also Present: Councillors

1. ROLL CALL AND VIRTUAL MEETINGS EXPLANATION.

The Chairman introduced the meeting and took a roll call of Members in attendance. The Licensing Solicitor explained the virtual meeting procedure.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Walker.

3. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

None.

4. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING HELD ON 17 FEBRUARY 2020.

The Minutes of the meeting of the Committee held on 17 February 2020 were confirmed as a correct record, with 13 votes for and 1 abstention and signed by the Chairman.

5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

6. AMENDMENTS TO THE HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AS A RESULT OF THE DFT STATUTORY GUIDANCE.

Michael Bateman, Team Leader for Licensing, Food and Safety introduced the report. He noted that nothing had been added to the draft guidance had been

discussed by the Committee at the meeting in February. He highlighted the main changes in the draft policy.

The Vice-chairman welcomed the report which introduced standards for local authorities licensing policies for hackney carriages and private hire vehicles. She highlighted that the Council's Licensing Policy has a strong focus on safety.

Members expressed concern with the cost implications for safeguarding training and the installation of CCTV *and the Council as Data Controller*. They noted that most drivers are self-employed and the impact of the pandemic on their income.

The Officer confirmed that currently the cost of renting CCTV equipment was £20.75 a month for 2 cameras and £29.86 a month for 4 cameras with £39 fitting costs. Equipment could be bought from £499 to £763 and other systems were available from £350.

The Vice-chairman advised that CCTV will safeguard the public and suggested a longer lead in time that suggested in the statutory guidance.

Members discussed who should have a duty to report accidents, and whether to include the operator of the licensed vehicle and the driver along with the proprietor.

Franca Currall, Licensing Solicitor noted the duty to report all accidents to insurance companies. Any licensed vehicle there should be an obligation to report accidents to the local authority. The number of reports received may depend on the level of damage. She reminded Members that the badges must be displayed in the front of vehicle and any concerned patron should take a photo of licence plate.

With regard to the additional costs for licence holders she advised that the Council is charged with public safety and have to use legal and local knowledge to protect the public, CCTV will protect both the public and the drivers. She noted the two-year lead in period for installation of CCTV and noted that the cost may reduce over that time. The Council could also look to procure a cheaper system by economies of scale. The mandatory courses on disabled and vulnerable people are to be paid for by the drivers themselves in addition to the application fee for the licence.

The Officer commented that the proprietor has a duty to report as they have the responsibility for the vehicle and ensuring it is maintained in a roadworthy condition. They are the responsible person who must notify the Council.

The Chairman reminded the Committee to report any matters to the Licensing Team for investigation. Members were reminded that there is an obligation under the Road Traffic Act for the driver to provide their details following an incident.

The Solicitor advised that any changes to the wording should be discussed by the Committee, these are national minimum standards. Legally the owner / proprietor of the licensed vehicle must inform the Licensing Authority. She noted that some proprietors lease out their vehicles

Councillor Marsh proposed that the policy be amended to add that the driver should report any incidents to the Council. The Chairman took a vote and 12 Members voted in favour and there were 2 abstentions.

The Solicitor suggested that the officers report back to the Committee with any amendments suggested by the Members. Any amendments to lead in times could be discussed with the trade during the Consultation Period.

Members discussed drivers charging additional charges for suitcases, the evidence CCTV would provide for the Licensing Sub-Committee A meetings. It was noted that CCTV could help enforce drivers wearing face masks.

The Business Unit Leader, Yvonne Leddy advised the Chairman that this practice had been raised with the trade and there had not been a reoccurrence of this.

Councillor Webster, Cabinet Member for Community noted that any issues that arise are discussed with the trade, the Licensing Team seek to get their support and keep them informed. The lead in time for the white livery of MSDC licensed vehicle was set at 10 years. The key point is for passengers and drivers to feel safe.

Councillor Henwood proposed extending the lead in time to install CCTV. The Chairman took a vote to keep the lead in time at 2 years, 12 Members voted in favour, 1 vote against and there was 1 abstention.

The Chairman highlighted that any changes to the Licensing Policy would go before the Scrutiny Committee for Community, Customer Service and Service Delivery for further discussion.

He noted no more Members wished to speak so moved the Committee to the recommendation to note the report which was agreed unanimously.

RESOLVED

The Committee endorsed the changes and amendments to the Hackney Carriage and Private Hire Licensing Policy at Appendix 1 before it is issued for public consultation.

7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 4.38 pm

Chairman