

LICENSING COMMITTEE

Minutes of the meeting held on Tuesday, 23rd April 2019 at Retford Town Hall

Present: Councillor J Potts (Chair)
Councillors J R Anderson, B A Bowles, K M Greaves, S Isard, G Jones,
A Smith and K Sutton.

Officers in attendance: S Aston, S Bacon, L Dore and J Shields.

(Meeting opened at 6.30pm.)

(The Chair welcomed all to the meeting and read out the Fire Evacuation Procedure. She also enquired as to whether any member of the public wished to film the meeting or any part thereof; this was not taken up. There was one member of the public present).

50. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G Clarkson, D R Pressley, J M Sanger MBE and C Tindle.

51. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

Councillor J Potts declared a non-pecuniary interest relating to Agenda Item No. 7(a) Application for Combined Hackney Carriage / Private Hire Driver's Licence, as the applicant is a distant cousin. She remained in the meeting.

(b) Officers

There were no Declarations of Interest by officers.

52. MINUTES OF THE MEETING HELD ON 13TH MARCH 2019

RESOLVED that the Minutes of the meeting held on 13th March 2019 be approved.

53. MINUTES FOR ACTION

The Principal Solicitor (Licensing and Regulatory) (PS(LR)) advised that the granted Combined Hackney Carriage / Private Hire Driver's Licence had been issued and that the separate revoked Hackney Carriage / Private Hire Driver's Licence was now the subject of an appeal at Mansfield Magistrates Court. The PS (LR) will keep the Committee updated.

RESOLVED that:

1. The Minutes for Action be received.
2. The Principal Solicitor (Licensing and Regulatory) provide an update to the Committee concerning the applicant who is appealing his Combined Hackney Carriage / Private Hire Driver's Licence revocation.

54. OUTSTANDING MINUTES LIST

In reference to the Hackney Carriage Scale of Fares – Larger Vehicles, the PS(LR) advised the visit to Pitt Taximeter Services to look at their products had been postponed but this will take place before the June meeting of the Committee.

RESOLVED that the Outstanding Minutes List be received.

55. CHANGE OF AGENDA ORDER

The Chair advised a change in the Agenda order as the applicant in respect of Agenda Item No. 7(a) was present at the meeting.

56. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED that, in accordance with Part 1 of Schedule 12A of the Local Government Act 1972, and after considering the public interest test as set out by the officer in the body of the report, Members agreed that the following items of business involved the likely disclosure of exempt information as defined in Paragraph 1 and therefore, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

Agenda Item No. 7(a) – Application for Combined Hackney Carriage / Private Hire Driver's Licence – Paragraph 1.

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

57. REPORT(S) OF THE PRINCIPAL SOLICITOR (LICENSING AND REGULATORY)

(a) Application for Combined Hackney Carriage / Private Hire Driver's Licence

Members were asked to consider and determine an application for a 1-year combined Hackney Carriage / Private Hire Driver's Licence.

The Principal Solicitor (Licensing and Regulatory) outlined the application. The applicant was present and answered questions from Members in support of the request.

(The member of the public present left the meeting).

RESOLVED that the application for a 1-year combined Hackney Carriage / Private Hire Driver's Licence be granted.

The Agenda order resumed.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

58. REPORT(S) OF THE PRINCIPAL SOLICITOR (LICENSING AND REGULATORY)

(b) Driver Medical Review

The Committee was presented with a report which asked it to review the company/organisation authorised to carry out Group 2 Medicals to support applications for Combined Hackney Carriage / Private Hire Driver's Licences (Drivers Licences), and also medicals at age intervals as specified by the DVLA.

At its meeting in September 2015, the Licensing Committee resolved that any medical certificates submitted in support of a new Driver's Licences application, and those medicals carried out at the age intervals specified by DVLA guidance, should be certified by 'Medigold'. At the time, Medigold was the same company used by other Nottinghamshire Local Authorities but recently there have been comments/complaints regarding: the distance to Nottingham; the lack of availability of appointments; the difficulty in obtaining an appointment with the same doctor if required. The Principal Solicitor (Licensing and Regulatory) (PS(LR)) informed the meeting that some of the other Nottinghamshire Local Authorities had moved away from using Medigold as their assessor for medical certificates while others were looking to do so.

The report summarised three other local providers of Group 2 Medicals which the PS(LR) had researched and were now presented to the Committee as possible alternatives: Peter Smythe, DforDrivers and Fit2Drive Medicals. The report noted the appointment process for each provider and also the fee for undertaking each medical.

The PS(LR) advised Committee members that they should not consider the content of an email each of them had received earlier from a member of the local Hackney Carriage / Private Hire trade regarding the review of driver medicals and that if Members felt the needs to canvas views of the licensed trade the appropriate opinion would be for the Committee to instruct the PS(LR) to consult with the local trade as a whole rather than considering the views of a single member of the trade.

Following discussion of the options available to the Committee, including remaining with the existing provider of Group 2 Medicals or permitting individual GP's to certify a driver meets the Group 2 standard, Members

RESOLVED that:

1. Fit2Drive Medicals be selected as the company from which medical certificates must be obtained from in future to support applications for Combined Hackney Carriage/Private Hire Licences, and also those medicals as specified at the age intervals as required by the DVLA. This to be implemented from 30 May 2019
2. A review be undertaken by the Principal Solicitor (Licensing & Regulatory) after twelve-months and reported to a future meeting of the Licensing Committee on the service provided by Fit2Drive Medicals.

59. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT.

The Chair noted that this was the last Licensing Committee meeting prior to elections being held on 2nd May 2019. Two members of the Committee were retiring therefore the Chair offered thanks to both Councillor K Sutton and Councillor A Smith for their work as part of the Committee and also Licensing Panel meetings.

As there was no other urgent business to be discussed, the Chair closed the meeting.

(Meeting closed at 7.15pm.)