

LICENSING COMMITTEE

Minutes of the meeting held on Wednesday, 11th March 2020 at Retford Town Hall

Present: Councillor J Potts (Chair)
Councillors J R Anderson, G Clarkson, K M Greaves, S Isard, G Jones,
D R Pressley, H Richards and J M Sanger MBE.

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

(Meeting opened at 6.30pm).

(The Chair welcomed all to the meeting and read out the Fire Evacuation Procedure. There were no members of the public present).

27. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T P Eaton BCA and C Tindle.

28. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no Declarations of Interest by Members.

(b) Officers

There were no Declarations of Interest by officers.

29. MINUTES OF THE MEETING HELD ON 15TH JANUARY 2020

RESOLVED that the Minutes of the meeting held on 15th January 2020 be approved.

30. MINUTES FOR ACTION AND IMPLEMENTATION

The Principal Solicitor (Licensing and Regulatory) (PS(LR)) advised that the Combined Hackney Carriage / Private Hire Vehicle Drivers Licences granted at 24(a) and (b) had been processed along with the Exemption at 24(a).

Regarding Minute 25(a), Hackney Carriage Scale of Fares for Larger Vehicles, these had now been advertised and unless there are any objections, will come into force on 1st April 2020.

RESOLVED that the Minutes for Action be received.

31. OUTSTANDING MINUTES LIST

In reference to Minute No. 35(b) – Roadside Catering Policy, the PS(LR) did not anticipate a report being available for some time as it was an ever-changing situation with information not readily available. Because of difficulties in finalising the report she did not wish to pass on the task to someone else before taking maternity leave and therefore asked the Committee if it could

be presented to them on her return to work. If this was approved then Minute 35(b) would be removed and renamed Street Trading Review as resolved on the date of this meeting.

RESOLVED that:

1. The Outstanding Minutes List and updates be received.
2. Minute No. 35(b) be removed from the Outstanding Minutes List.
3. Street Trading Review be added to the Outstanding Minutes List and be undertaken by the PS(LR) on her return from Maternity Leave.

Key Decisions

None.

Other Decisions

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

a) Request for Permission to Display Advertisements on a Private Hire Vehicle by Kings Travel

Members were asked to consider an application to display a logo on a Private Hire Vehicle licenced in the name of 'Kings Travel'.

The Council's current Private Hire Vehicle Policy and Private Hire Vehicle Conditions states at Appendix N that any advertisements shall be confined to a notice fixed to one or both front door panels of the vehicle. In this instance, the proposed signs would advise the telephone contact number on the front doors with the company name on the rear doors. A photograph of the proposed logo was appended to the report.

RESOLVED that the application to display the proposed logo with telephone number on both front and rear doors of a Private Hire Vehicle licenced to Kings Travel be granted.

b) Hackney Carriage and Private Hire Vehicle Driver Medicals – Fit2Drive

The Committee received a report which provided an update on the change of appointed medical provider. The medical provider carries out all medicals of those persons applying for a Combined Hackney Carriage/Private Hire Drivers Licence and those drivers who are currently licenced but require a medical at intervals specified by the DVLA. At the Licensing Committee meeting on 23rd April 2019, Members received a report which reviewed the company/organisation who are authorised by the Committee to carry out Group 2 Medicals to support licence applications. The Committee resolved to make Fit2Drive the named provider and asked that an update report be brought back after one year.

The PS (LR) contacted Fit2Drive and asked a number of questions to which they responded. Both questions and answers were detailed in the report.

In response to questions from Committee members, the PS(LR) advised: Riverside Surgery in Retford is used as a base for appointments but it is not the surgery doctors that undertake the medicals; in the instance of suspected Coronavirus symptoms, taxi providers must follow current Department of Health advice. The Licensing Authority would not get involved unless public safety was affected; should customers have to be traced in respect of the virus, Private Hire operators have to keep stringent records, Hackney Carriage operators do not have to but for tax purposes they should; the only complaints received regarding Fit2Drive concerned the misinformation that drivers must register with Riverside Practice and the small size of urine sample bottles issued.

RESOLVED that the report be noted and the arrangement with Fit2Drive as appointed medical provider continue.

c) Hackney Carriage and Private Hire Vehicle Disclosure and Barring Service Checks

Members received a report which asked them to consider making changes to the frequency to which licenced Combined Hackney Carriage / Private Hire Drivers Licence holders are required to obtain a full Enhanced Disclosure and Barring Service Certificate (DBS Certificate). The proposed changes to the Council's Hackney Carriage and Private Hire Licensing Policy were appended to the report.

The Council currently requires all drivers to have a DBS and Driving and Vehicle Licensing Agency (DVLA) check annually by the anniversary of the date of issue of their Hackney Carriage/Private Hire Vehicle licence. If the information is not provided to the Council by this date, the licence may be suspended or revoked until the information is received. The cost of a full Enhanced DBS and DVLA check is currently £64.49. Drivers are also required to subscribe to the DBS update service so that officers can check there has been no change in status of the drivers DBS record. The cost of subscribing to the update service is currently £13 per year.

The report proposed that existing licence holders, who have previously undertaken an Enhanced DBS check to support their licence application with the Council, should be encouraged to subscribe and maintain their subscription to the update service. If they do this, the Council would not ask for a new annual DBS Certificate unless a check revealed a change in status. If there has been a change in status, or if the subscription to the update service has not been maintained, then the licence holder would be required to obtain a further Enhanced DBS Certificate by the date of the anniversary of the issue of their licence. They would also again be given the opportunity to subscribe to the update service. Failure to provide an Enhanced DBS Certificate or maintain a subscription to the update service would result in the matter being escalated to the PS(LR) or Council Solicitor to consider suspension of the licence until the licence holder complies with the Council's Policy.

The proposed changes to the DBS and DVLA application procedure were also appended to the report.

RESOLVED that the proposed changes to the frequency to which licenced Combined Hackney Carriage / Private Hire Drivers Licence holders are required to obtain a full Enhanced Disclosure and Barring Service Certificate be implemented.

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

(a) Principal Solicitor (Licensing and Regulatory)

The Chair reminded the Committee that this was the last meeting for the PS(LR) prior to commencement of her maternity leave. The Chair and Committee Members present offered her and her family their best wishes and good luck.

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

(Meeting closed at 7.05pm).

