

MINUTES

LICENSING AND HEALTH AND SAFETY ENFORCEMENT COMMITTEE

10 MARCH 2020

Present:

Councillors: Allen
Mrs Bassadone
Bhinder (Vice-
Chairman)
P Hearn (Chairman)
Johnson
Link
Pringle
R Sutton

Officers: Usman Mohammed Litigation Barrister
Nathan March Licensing Team Leader
Trudi Angel Corporate and Democratic Support Officer (minutes)

The meeting began at 7.35 pm

1 **MINUTES**

The minutes of the meetings held on 12 November 2019 and 14 January 2020 were agreed by the members present and then signed by the Chairman.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Bowden and Rogers.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4 **PUBLIC PARTICIPATION**

There was no public participation.

5 **DRAFT TAXI AND PRIVATE HIRE LICENSING POLICY**

N March introduced the report and explained that this draft policy was an amalgamation of the various taxi related guidance documents that are currently in place. He highlighted the key changes to the policy:

- Criminal records checks – a requirement to maintain a live check – cheaper for licence holders, and better for the Council as can carry out checks whenever necessary, rather than just on renewal as we do now. It is also intended to contact the local police directly to make enquires about applicants.
- No temporary licences – if applicants do not get their documentation sorted in time they would have to wait until this is all processed.
- No formal 'grace period', applicants will have to apply as new if applications not submitted in time. Completed application within the required timescales.
- Significant training requirements are suggested in regards to disability awareness and safeguarding. This is in line with other authorities around the country.
- The policy indicates that the Council will sign up to the NR3 database, which is a national database to check if applicants have been refused or revoked elsewhere.
- The level of acceptable criminality that is considered acceptable has been reduced, Page 95 of the reports show the changes, these are in line with the Institute of Licensing's recommendations, with the exception of a small number that were already stronger in our existing policy.
- As the Council has declared a climate change emergency, a strong emissions requirement has been included in the draft policy.
- Finally, the policy makes it clear that the council will look to digitalise as many of its processes as possible, as the technology becomes available.

As this is a significant policy, 12 weeks is suggested as the length of consultation when the committee is happy with the draft.

He welcomed questions from the committee.

Councillor Allen referred to the DBS update service and asked what the legalities were, if any, in requiring drivers to register with it rather than go through the longer process. N March advised that there was no issue with requiring them to do it, we encourage them to do it especially as it is cheaper for them to do so. The guidance from the Department of Transport is supportive of having them sign up for it as a requirement and we are required to take that guidance in to account.

Councillor Allen asked if there was any consideration given to language barriers when considering late applications and taking away temporary licences. N March advised that all new drivers were required to take an English test if they didn't have a qualification up to a certain standard so that shouldn't be an issue. He felt that it wouldn't be an acceptable reason as they should speak a certain level of English to be suitable to be a taxi driver.

Councillor Allen asked if we would consider granting temporary licences to those with exceptional circumstances for delays. N March said it could be considered but the committee would need to be clear that is what it would be used for. He said we would always look to be reasonable and wouldn't want to penalise people for unfortunate circumstances.

Councillor Johnson felt it was a good idea to make it clear that we do not licence Uber drivers. N March said it would be made clear in the consultation that this policy only applies to vehicles and drivers licenced by our authority.

Councillor Pringle said she welcomed the more frequent criminal record checks. She asked what the sanctions were if the drivers didn't inform us and if they were reminded regularly to report information to us. N March advised we occasionally do reminders in the Newsletter which is received by a third of our drivers. He said we do find out eventually, usually when they renew, and if they haven't told us when they were supposed to we would call them in for an interview, listen to their explanation and they would receive a strike. If a driver receives three strikes they would have to come before the sub-committee. He added that it does cause delays to their application if they don't advise us of incidents when they should.

Councillor Pringle queried if there was any way of linking up to the criminal justice services to be informed directly of those with serious offences. N March advised that the Police can tell us if they are aware of a serious incident but it is their decision if they feel it is appropriate to tell us. Councillor Pringle asked if the Police were able to check our databases to see if the person they were investigating was a taxi driver. N March explained that the Police Officer investigating would have to have the information or an indication that the person was a taxi driver but it wasn't something they could automatically check.

Councillor Bhinder said this was a fantastic piece of work and it was very reassuring that DBC were moving forward. He then asked if the Safeguarding and Equality training was carried out by DBC. N March said his intention was to work with the Safeguarding Officer at DBC to deliver the training in house and he would look to charge a fee to recover the costs. He advised that we didn't have the expertise here to deliver the training on Disabilities so we would need to source an external provider for that.

Councillor Bhinder said he was delighted to see a section on emissions and particularly paragraph 18.4 where it was stated that by 2025 all vehicles would be expected to meet an electric hybrid standard. He asked how we enforced emission control. N March advised that there wasn't an emissions policy at present but when that change is enforced we would need to keep our systems up to date so that we could refuse licences if the vehicle doesn't meet our standards.

Councillor Allen asked if there were any restrictions on idling engines. N March advised there was a sentence within the policy that stated drivers shouldn't leave their engines running for longer than one minute.

Councillor Allen referred to the Equality training and asked if there was any way include information to help drivers deal with hate crime and racism that often comes with the trade. N March explained that the training would be supportive to drivers and help with how to cope with challenging customers. He said drivers were always encouraged to report any crimes because if they don't we won't know it is happening.

Councillor Allen said he understood that going digital was the way forward but asked for reassurance that we would make sure everything was accessible for those without internet access. N March advised that we were working towards digital services but were still a long way off as we were constrained by the speed of the

Councils movement and systems being replaced. He gave reassurance that there wouldn't be an immediate change and therefore wouldn't be a problem for those less confident with technology.

Decision

The Licensing and Health and Safety and Enforcement Committee considered the draft Policy and agreed for this to be consulted on for 12 weeks. The results of the Consultation to be fed back at a future meeting of the Committee for consideration as to the next steps.

The Meeting ended at 8.08 pm