

LICENSING COMMITTEE

22nd January 2019

Present – Councillors Myers (Chairman), Baxandall, Heseltine, Ireton, Jaquin, Madeley, Moorby, Solloway, Thompson and Welch.

Officers – Solicitor to the Council, Legal Services Manager, Licensing Manager, Assistant Licensing Officer, Information Governance Manager and Committee Administrator.

An apology for absence was received from Councillor Mulligan.

Start: 6.30pm

Finish: 8:40pm

The minutes of the Committee's meeting held on 13th November 2018 were confirmed and signed by the Chairman.

The Chairman announced that, the Licensing Manager, Deborah Bragg, was leaving the Authority to take up a new position with Leicester City Council. This would be her last Licensing Committee and the Chairman thanked her for all her hard work and commitment and wished her well on behalf of the Committee.

In response, Mrs Bragg stated that she had enjoyed working with all Members and officers and whilst sad to be leaving she was looking forward to her new role. She informed the Committee that Tim Chadwick, Licensing Assistant, had been offered the Licensing Manager's position and she wished him well for the future.

Minutes for Report

LIC.218

INTRODUCTION OF SAFETY CAMERAS (CCTV) IN LICENSED VEHICLES IN CRAVEN

The Licensing Manager submitted a report seeking Committee approval of a specification for taxi cameras (CCTV) in licensed vehicles in Craven. As part of her report, Members listened to a presentation from a CCTV company whose systems were already operating in taxis in several local authorities. The presentation was purely to inform Members of the benefits a camera, from whichever manufacturer, could offer in protecting both passengers and drivers. In addition, the camera footage could provide essential evidence to the police as part of an investigation/prosecution.

The Licensing Manager circulated to Members at the meeting an amended specification which provided greater clarity and took account of Data Protection requirements.

During the ensuing debate Members requested that the Licensing Manager seek out and establish a list of approved CCTV suppliers that met the Council's specification and that this list be published on the Council's website. This would give the taxi trade some choice in supplier and confidence that, once installed, their system met all the Council's criteria. Members also asked that publicity be given to the introduction of CCTV in licenced vehicles.

Members noted that although CCTV in vehicles would not become mandatory until 1st April 2020, this did not preclude taxi drivers and operators from installing cameras in their vehicles at an earlier date.

Resolved – (1) That, the specification as submitted, is approved, save that the Council shall carry out a Data Protection Impact Assessment in accordance with the General Data Protection Regulation (GDPR) and a self-assessment in accordance with the Surveillance Camera Commissioner’s Code of Practice, before the systems become operational in vehicles.

(2) That, all licensed vehicles must comply with the requirement that safety cameras must be installed and operational by 1st April 2020.

LIC.219 **TAXI LICENSING POLICY – DAILY VEHICLE INSPECTION CHECK SHEET**

The Licensing Manager submitted a report which sought approval for the introduction of a daily vehicle inspection check sheet, to be completed by drivers and vehicle proprietors of licensed vehicles. The condition to undertake daily checks was incorporated into the new Taxi Licensing Policy which came into effect on 1st June 2018. However, the condition had not been applied as Members asked the Licensing Manager to devise a standardised check sheet which would be used by Craven’s licensed drivers and vehicle proprietors.

The daily vehicle inspection check sheet submitted with the report was examined by Members and they suggested that the sheet also included checks that airbags and CCTV were working and that, if possible the sheet be modified so as to have one doubled sided sheet of paper for a full week.

Resolved – That, the daily vehicle inspection check sheet as now submitted, subject to minor amendments outlined above is approved and licence holders are required to complete the said form before the commencement of every shift from 1st April 2019.

LIC.220 **TAXI LICENSING POLICY – INTRODUCTION OF PENALTY POINTS SCHEME**

The Licensing Manager submitted a report seeking Members’ approval for the introduction of a penalty points scheme for taxi drivers.

In approving the new Taxi Licensing Policy, Members determined that a penalty points scheme was introduced to deal with infringements of licensing conditions, licensing legislation or misconduct by taxi drivers. Members were advised that there was no mechanism (other than written warnings or referral to the Licensing and Appeals Sub-Committee on a case by case basis) for dealing with minor or repeat misconduct by taxi drivers. Additionally, licence holders could be prosecuted using relevant legislative powers.

Members were informed that many local authorities had introduced successful penalty points schemes which enabled a consistent approach to dealing with unsatisfactory conduct whilst providing a record of a licence holder’s pattern of behaviour and conduct.

The proposed scheme for Craven’s drivers would operate without prejudice to the Council’s ability to take other action it was entitled to take under legislation, byelaws and regulations. Penalty points would remain current for 12 months from the date of issue and where a licensee accumulated 12 or more points in any 12 month period the matter would be referred to the Licensing and Appeals Sub-Committee for determination as to whether the person was considered ‘fit and proper’ to hold a licence. There would also be a right of appeal by licence holders to the Sub-Committee if they felt that aggrieved at the officer’s decision to issue penalty points.

Resolved – (1) That, the Penalty Points Scheme for Taxi Drivers as now submitted is approved and introduced with effect from 1st April 2019, subject to the amendments that food

and drink not being allowed in the vehicle when passengers are present and that driving whilst using a mobile phone incur twelve penalty points rather than nine.

(2) That, a further report is submitted to the Licensing Committee in twelve months' time detailing the impact of the system on levels of compliance including details of the number of points recorded against licence holders and the reasons why.

LIC.221

TAXI LICENSING POLICY – BRANDING ON LICENSED VEHICLES

The Licensing Manager submitted a report following a consultation exercise in which the taxi trade were asked for their views on whether branding should be permitted on hackney carriage and private hire vehicles licensing by the Council.

The revised taxi licensing policy restricted advertising on vehicles and as a result the Licensing and Appeals Sub-Committee were asked to determine requests from three applicants that the advertising condition was dis-applied. The Sub-Committee resolved to defer making a decision on whether the condition should be dis-applied and instructed the Licensing Manager to undertake a consultation exercise in order to gather the views of the taxi trade. Only one response had been received and that was from one of the applicants who had requested that the branding already on his vehicle was allowed to remain.

Members discussed the issue in detail and after careful consideration, it was

Resolved – (1) That, the proposed policy as set out in appendix A to the report now submitted in relation to branding on licensed Hackney Carriages or private hire businesses on licenced vehicles is approved.

Chairman.