

## **LICENSING COMMITTEE**

1<sup>st</sup> October 2019

**Present** – Councillors Myers (Chairman), Handley, Heseltine, Jaquin, Madeley, Metcalfe, Moorby and Whitaker.

**Officers** – Legal Services Manager, Licensing Manager and Senior Democratic Services Officer.

Apologies for absence were received from Councillors Ireton, Pighills and Solloway.

Start: 6.35pm

Finish: 7:26pm

The minutes of the Committee's meeting held on 11<sup>th</sup> June 2019 were confirmed and signed by the Chairman.

### **Minutes for Report**

LIC.228

#### **VEHICLE TESTING**

The Licensing Manager submitted a report updating Members on the progress made with the current vehicle testing tendering process.

All licensing vehicles registered with Craven District Council were required to undergo testing including an annual MOT and an enhanced vehicle check (ELVC) by an authorised testing station. Vehicles aged over three years were also subject to an additional ELVC check bi-annually.

Members were already aware that only one testing station was authorised to undertake testing and officers had previously been asked to review the current arrangements with a view to appointing additional testing stations.

The Licensing Manager stated that, in consultation with Legal Services, a specification for the procurement of garage services was being formulated with the aim of appointing additional testing stations in early 2020.

The Legal Services Manager explained that the Council's procurement officer would put together the tender document which would be promoted within the District and advertised on the Council's website.

**Resolved** – (1) That, the report is noted.

LIC.229

#### **TAXI LICENSING POLICY – REVIEW OF PENALTY POINTS SCHEME**

The Licensing Manager submitted a report updating Members on the implementation of the penalty points scheme for taxi drivers and vehicles and requested some changes to the scheme now it had been in operation since 1<sup>st</sup> April 2019.

The purpose of the scheme was to provide a consistent approach in dealing with misdemeanours and unsatisfactory conduct, hopefully improving standards whilst providing a picture of a licence holder's conduct and whether that individual continued to be considered a 'fit and proper' person. When a licence holder reached twelve penalty points he/she would automatically be referred to the

Licensing and Appeals Sub-Committee. In addition, the Licensing Manager also retained a separate discretion to refer matters to the Licensing and Appeals Sub-Committee.

Since the scheme's introduction, 79 penalty points had been issued as set out in the report and to highlight the seriousness of some of the infringements it was proposed that points be increased for certain misdemeanours. Some minor conduct incidents were not covered by the scheme and it was suggested that the scheme be revised. The changes were:

- New offence of using a licensed vehicle on the highway following an MOT failure with a dangerous defect;
- New offence of displaying unauthorised signage on a vehicle/failure to request authorisation of signage;
- Increase in points when plying for hire by Private Hire drivers and/or plying for hire outside the District; and
- Amendment from 'failure to use authorised roof light' to 'failure to use a roof top sign'.

The Licensing Manager would continue to monitor scheme as it progressed and provide data to Members in due course.

**Resolved** – (1) That, the use of the penalty points scheme since 1<sup>st</sup> April 2019 is noted.

(2) That, the additional categories as set out in the appendix to the report now submitted, are approved.

(3) That, the increase in penalty points as set out in the appendix to the report now submitted to be introduced with effect from 15<sup>th</sup> October 2019 are approved.

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

LIC.230

### **CCTV IN VEHICLES**

The Licensing Manager submitted a report providing Members with an update of the progress made in relation to implementing CCTV in vehicles. The new Licensing Policy included a mandatory requirement for CCTV to be installed in all vehicles by April 2020. Since Craven approved its new policy there had been increased national interest in CCTV in vehicles and, in particular, the Surveillance Camera Commissioner's response to the Department of Transport's consultation on national standards.

In light of this, further advice had been sought from the Council's Information Governance Manager and he recommended that a consultation exercise specifically on CCTV should be undertaken before Members made a decision on the adoption of mandatory CCTV.

The Licensing Manager proposed that the consultation responses were analysed and reported to the Licensing Committee to enable Members to reach an informed decision.

During the ensuing debate Members stipulated that a broad consultation be undertaken reaching out to not only the trade but members of the public and that the consultation should be promoted by, but not limited to, the Council's website, social media, newspapers, parish magazines, taxi ranks and, in due course if necessary and feasible, tagging alongside District wide postings to Craven council tax payers.

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**Resolved** – (1) That, the report is noted.

(2) That, the Hackney Carriage and Private Hire Licensing Policy in respect of the mandatory introduction of CCTV in licensed vehicles from April 2020 is removed.

(3) That, a report is brought back to the Licensing Committee following the consultation exercise.

Chairman.