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LICENSING AND APPEALS COMMITTEE

Minutes of a Meeting held on Wednesday 7th October 2020 via zoom at 6.00pm

PRESENT

Councillor Tom Donnelly - In the Chair

Councillors Jacqueline Allison, Graham Elliott, Alyson Hill, Stuart Lees, Michele Morley, Joyce Pawley, Andrew Statham, Steve Wain,.

Lee Gardner (Legal Services Manager), Tim Braund (Head of Regulatory Services), Eileen Tierney (Licensing Manager), Jason Spencer (Electoral and Democratic Services Manager) and Alex Beardmore (Committee Assistant).

82/20 APOLOGIES

An apology for absence was received from Councillor Paul Cruise.

83/20 – MINUTES

It was moved by Councillor Joyce Pawley, seconded by Councillor Michele Morley

RESOLVED

(unanimously)

That the Minutes of the meeting of the Licensing and Appeals Committee meeting held on 30th January 2020 be approved as a correct record.

84/20 INTERESTS

The Chair reported that item 7 on the Agenda had been withdrawn.

Councillor Pawley declared a personal interest in agenda item number 6 as she had a relative who had previously provided home to school transport to the County Council.

Councillor Lees declared a personal interest in agenda item number 6 as a Director of Ashbourne Community Transport, who provided home to school transport to the County Council.

85/20 – STATUTORY TAXI AND PRIVATE HIRE STANDARDS FOR LICENSING AUTHORITIES

The Committee considered a report providing information on the recently published statutory Taxi and Private Hire Vehicle Standards issued by the Department for Transport,

and setting out proposals to review the Council's current taxi and private hire licensing policy, application procedures and licensing hearing procedures and the proposed methods for implementation to bring them into line with the national standards. The Committee noted that Council already had standards in place and these would be reviewed within the next 2 months.

It was moved by Councillor Michele Morley, seconded by Councillor Steve Wain

RESOLVED
(Unanimously)

- 1) That the Statutory Taxi and Private Hire Vehicle Standards (2020) issued by the Department for Transport (DfT), are noted.
- 2) That the Council's current taxi and private hire licensing policy, application procedures and licensing hearing procedures are reviewed by Officers in line with the new standards, as soon as possible.
- 3) That reports are submitted to future meetings of this Committee as and when changes are required to the Council's current Taxi and Private Hire Licensing Policy.
- 4) That the Derbyshire Licensing Officer Group (DLOG) are asked to consider the DfT standards with a view to ensuring that there is as consistent an approach as possible across the Derbyshire Authorities; whilst accepting that some local standards may be necessary.

86/20 – APPLICATION FOR EXEMPTION FROM REQUIREMENTS OF COUNCIL'S TAXI AND PRIVATE HIRE LICENSING POLICY – FOR CONTRACTED TRANSPORT FOR SCHOOLS, SPECIAL NEEDS CHILDREN AND SOCIAL CARE

The Committee considered an application received from 24X7 Limited, seeking exemptions from a number of the Council's Taxi and Private Hire Licensing Policy requirements.. The Company, based in Essex, with an area office in Wirksworth, specialised in providing transport for schools, special needs children and social care had been working with Derbyshire Council to provide the additional services required to maintain social distancing restrictions.

In presenting the report the Licensing Manager proposed that recommendation 4 be amended to include an exemption from displaying licensing plates but requiring that they be carried in the boot of the vehicle.

The amended recommendation was moved by Councillor Alyson Hill, seconded by Councillor Michele Morley

RESOLVED

- 1) That the Policy requirement for private hire vehicles to be tested at the Council's Depot before being licensed, is waived in respect of any new private hire vehicles to be licensed by 24x7 Limited; and that the vehicle licence plate is surrendered after 6 months.
- 2) That if a private hire vehicle is exempted from testing, the application fee for a private hire vehicle licence received from

24x7 Limited in respect of a brand new vehicle (during 2020/2021) is reduced from £351:00 to £211:00.

- 3) That the recommendations in 1) and 2) above do not apply to any wheel-chair accessible vehicle (WAV), unless brand new at time of first licensing. WAVs licensed by 24x7 Limited will be subject to the Council's normal vehicle testing regime and any private hire vehicle licence granted will be renewable every 12 months, up to the Council's maximum age limit for licensed vehicles.
- 4) That the Policy requirement for the Council's Door Stickers to be affixed to both front doors of the vehicle and a of the licence plate is waived in respect of any private hire vehicles licensed by 24x7 Limited, to carry out schools, special needs children and social care contract work awarded by Derbyshire County Council subject to the licence plate being carried in the boot of the licensed vehicle.
- 5) That applicants for a Private Hire Driver's Licence from persons employed by 24x7 Limited, for the purpose of schools, special needs children and social care contract work, are exempted from the Location Section of the Council's Knowledge Test and the fee for sitting the test is reduced from £35:70 to £24:00.
- 6) That a Private Hire Driver Licence, restricted to Special Educational Needs (SEN) contract work, is issued in place of the combined Taxi/PHV Driver's Licence to all applicants employed by 24x7 Limited, and is subject to similar licence conditions

Voting:

For	6
Against	0
Abstentions	3

87/20 - APPLICATION FOR EXEMPTION FROM REQUIREMENTS OF COUNCIL'S TAXI AND PRIVATE HIRE LICENSING POLICY – TO ALLOW A TUK TUK SERVICE TO OPERATE SET ROUTES

It was noted that this item had been withdrawn.

88/20 LICENSING ACT 2003 AND GAMBLING ACT 2005 - ANNUAL PROGRESS REPORT

It was noted that a copy of the statistics supporting the report had been circulated separately.

The Committee noted the report which provided a summary of the work carried out by the Licensing Team during the 2019/20 financial year relating to the Licensing Act 2003 and the Gambling Act 2005, Information relating to the two financial-years was also provided for comparison. Members thanked the team for all their work and the information provided.

It was moved by Councillor Joyce Pawley, seconded by Councillor Michele Morley

RESOLVED
(unanimously)

- 1) That the Licensing Team continues to work with other Responsible Authorities, where possible, when carrying out the following number of planned compliance/enforcement visits in the District by 31 March 2021:
 - 20 licensing awareness visits to premises licensed for alcohol sales, gambling or scrap metal.
- 2) That the Licensing Team continues to contribute to the work of the Derbyshire Licensing Group (DGL), the Community Safety Partnership's VAL (Violence Alcohol and Licensing) Group; and continues to support initiatives promoted by the Institute of Licensing and the Gambling Commission.

MEETING CLOSED 7.40PM

CHAIRMAN