

Time Commenced: 6:00pm

Time Finished: 7.24pm

LICENSING COMMITTEE

05 July 2018

Present: Councillor Barker (Chair)
Councillors Bettany, Cooper, Froggatt, A Holmes, Hussain, Jackson, Keith,
S Khan, Peatfield, P Pegg, Potter, Sandhu, Skelton and Smale

In Attendance: Olu Idowu – Head of Legal Services
Mike Kay – Head of Environmental Health and Licensing
Sandra Mansell – Team Leader – Licensing
Jody Shelton – Democratic Services Officer

01/18 Apologies

Apologies for absence were received from Councillors S Khan and Sandhu.

02/18 Late Items to be Introduced by the Chair

There were no late items.

03/18 Declarations of Interest

There were no declarations of interest.

04/18 Minutes of the Meeting held on 18 January 2018

The minutes of the meeting held on 18 January 2018 were confirmed as a correct record subject to the following amendments:

35/17 Taxi Licensing Fees and Charges 2018/19

The Committee considered a report from the Strategic Director of Communities and Place on the Taxi Licensing Fees and Charges 2018/19.

05/18 Request for Mercedes-Benz Vito CDI Taxi and the Ford Pro Cab to be Approved as Hackney Vehicles

The Committee considered a report from the Strategic Director of Communities and Place on the requests received for Mercedes-Benz Vito 114 CDI and the Ford Pro Cab to be approved as hackney carriages.

At this point Members of the Committee and officers left the Chamber and viewed the

vehicles in the Council House carpark.

Upon returning to the Chamber, it was reported that two requests had been received and inspected by Licensing Enforcement Officers and met most of the requirements for Hackney Carriages, apart from the overall width and length of the vehicle and the distance between the ground and vehicles floor was greater than the maximum currently stipulated within the specifications.

Members noted that both vehicles had full European approval, were Euro 6 compliant and have wheelchair requirements, roof sign and auto door locking.

The officers reported that although the Mercedes-Benz Vito 114 CDI was available in the Council's approved colour, AA Yellow, the Ford Pro was not and this would be the purchases responsibility to ensure requirements were met. Upon considering this information Members requested that a report be brought to a future meeting of the Committee to consider a policy change of the current colour specifications for new vehicles. It was noted that this consideration would require consultation with the trade and a detailed report following this.

Resolved

- 1. To approve the Mercedes–Benz Vito 114CDI (Vito Taxi) as a vehicle type approved as a Hackney Carriage within Derby City;**
- 2. To approve the Ford Pro Cab as a vehicle type approved as a Hackney Carriage within Derby City;**
- 3. To amend the current Specifications for Hackney Carriage Vehicle to reflect the greater dimensions in width and length of the newer modern vehicles. The maximum width to be 2.05 m and the maximum length to be 5.00 m.**

06/18 Section 106A Licensing Act 2003 Delegation of Functions in Respect of Temporary Events Notices

The Committee considered a report from the Strategic Director of Communities and Place on the Section 106A Licensing Act 2003 Delegation of Functions in Respect of Temporary Events Notices. It was reported that the Police Reform and Social Responsibility (PRSR) Act 2011 made changes to the Licensing Act 2003. One change was to allow the Licensing Authority to attach conditions on a Temporary Event Notice following the receipt of an objection from an appropriate responsible Authority.

The Committee welcomed the report and noted that this was a sensible suggestion to save officer and Member capacity in cases where the police and environmental protection had objected to a Temporary Event Notice.

Resolved

- 1. To authorise officers under Section 106A of the Licensing Act to approve a Temporary Event Notice;**
- 2. To delegate the functions under Section 106A to the Strategic Director of Communities and Place;**
- 3. To amend the Scheme of Delegations in the Constitution to reflect the proposed changes.**

07/18 Review of Products Used to Identify Licensed Vehicles and Drivers

The Committee considered a report from the Strategic Director of Communities and Place on the review of products used to identify licensed vehicles and drivers.

It was reported that the Council uses various products to allow the identification of licensed vehicles and drivers which were sourced from a number of different companies. Some of the items require specialist printers, inks and equipment to produce. Due to financial and procurement requirements and to ensure that the items purchased were fit for purpose and provide value for money, it was proposed that a review be undertaken.

The Committee were asked for nominations for a cross party working group to be set up to undertake the review.

Resolved

- 1. To authorise a review of products currently used to identify licensed vehicles and drivers in Derby City;**
- 2. To agree a cross party working group of Councillors Bettany, A Holmes, P Pegg and Skelton, undertake the review in conjunction with officers;**
- 3. To require the Strategic Director of Communities and Place to report back to the Licensing Committee on the outcome and recommendations of the cross party working group.**

08/18 Update Review of the Penalty Points Scheme

The Committee considered a report from the Strategic Director of Communities and Place on the update review of the penalty point scheme. It was noted that this report was to consider the operational effectiveness of the measures introduced following the change to the decision making process.

Members welcomed the report and stated that the scheme was a major improvement on the previous decision making process. It was agreed by all that the process was now

fair and transparent and that all parties involved were clear of the robust rules, including drivers prior to application.

The Committee were informed that the system would be continually updated and that a report would be available annually to Members to review.

Resolved

- 1. To note the information set out in the report and appendices;**
- 2. To approve the amendments to the Penalty Points System set out in the revised penalty points table attached at Appendix 4;**
- 3. To annually review the Penalty Points Scheme.**

MINUTES END