

LICENSING COMMITTEE
30 March 2023

Present: Councillor J Khan (Chair)
Councillors: Evans, A Holmes, Jennings, Lindsey, Pandey, T
Pearce, Peatfield, Sandhu and Skelton

In Attendance: Lionel Desa – Solicitor, Legal Services
Mike Kay – Head of Environmental Protection, Housing
Standards, Licensing, Emergency Planning and Business
Continuity
Angela Rawson – Service Manager, Licensing

24/22 Apologies

Apologies were received from Councillors Atwal, Hezelgrave and Sandhu

25/22 Late Items to be Introduced by the Chair

There were no late items

26/22 Declarations of Interest

There were no declarations of interest

27/22 Minutes of the Meetings held on 26 January 2023

The minutes were agreed as an accurate record of the meeting

**28/22 Statutory Taxi & Private Hire Vehicle Standards -
Additional Requirements - Criminality Checks**

The Committee considered a report from the Director of Public Protection and Streetpride. The Head of Environmental Protection, Housing Standards, Licensing, Emergency Planning and Business Continuity presented the report explaining to the Committee that the Department for Transport had set out a range of additional measures, in their Statutory Taxi & Private Hire Vehicles Standards review, for Licensing Authorities to consider in order to strengthen their existing licensing regimes in ensuring persons holding Hackney Carriage and Private Hire drivers licences are 'fit and proper' persons. The review also set out additional measures in respect of Private Hire Operators, dispatch and booking staff and also vehicles. The report set out what these additional measures were and full details were attached to the report at Appendices 1, 2 & 3.

The Head of Environmental Protection, Housing Standards, Licensing, Emergency Planning and Business Continuity informed the Committee that, one of these additional requirements to the drivers was that they were being asked to sign up to the DBS update service so that checks could be made if needed. Committee were also informed that Private Hire Operators, Dispatch and Booking Staff would also be required to submit a Basic Disclosure form from the DBS as part of their application renewal process.

The Head of Environmental Protection, Housing Standards, Licensing, Emergency Planning and Business Continuity also confirmed that the Statutory Standards required a Basic DBS check to be undertaken annual for vehicle owners/proprietors.

It was confirmed that a 12 week consultation on the proposed changes to conditions had been undertaken as approved by Committee at a previous meeting and all responses had been circulated to the Committee members with the report (attached as Appendix 4).

The Head of Environmental Protection, Housing Standards, Licensing, Emergency Planning and Business Continuity confirmed that if the proposed changes were approved, by the Committee the new conditions would be attached to each license when it was renewed.

Resolved to approve the additional conditions as set out in Appendices 1, 2 & 3.

29/22 Statutory Taxi & Private Hire Vehicle Standards Update

The Committee received a report from the Director of Public Protection and Streetpride. The Head of Environmental Protection, Housing Standards, Licensing, Emergency Planning and Business Continuity presented the report which provided the Committee with an update on the work that had taken place to ensure the subject areas in the Department of Transports (DfT) Statutory Taxi & Private Hire Vehicle Standards have been explored and changes implemented where appropriate with the intention to improve safety for taxi and private hire vehicle passengers.

It was acknowledged that Derby City Council's Licensing Team were already at the forefront with many of the suggested actions already embedded within their existing processes, conditions and policies. However, the report detailed further enhancements that had recently taken place including, recruitment of two new members of staff and improved sharing and gathering of Information nationally.

Resolved to note the contents of the report.

30/22 Cumulative Impact Policy – Response to Consultation

The Committee received a report from the Director of Public Protection and Streetpride. The Service Manager presented the report and attached Appendices which provided information received during the consultation period re the Cumulative Impact Assessment.

The Service Manager confirmed that the existing Cumulative Impact Policy had been reviewed each time the Licensing Policy was renewed every 3 years. But following the introduction of the Policing & Crime Act changes were made to the timelines for the statement of review for the Licensing Policy, this was extended to every 5 years. The Cumulative Impact Policy review timeline still remained at every 3 years. Therefore, it was felt that it was time to assess whether a Cumulative Impact Policy was still needed or not. Evidence had been received from Derbyshire Police, the Licensing Authority and City Centre Neighbourhood Management that supported the need for a Cumulative Impact Policy to be retained.

The full assessment content was released for consultation for a period of 8 weeks, ending on 20 March 2023. The Committee were provided with the responses along with the report.

The Committee considered the content of the report along with the responses that were attached as appendices. Discussion was held on the need for a Cumulative Impact Policy and the negative affect one may have on the struggling hospitality sector. The members of the Committee were then asked to vote on whether a Cumulative Impact Policy was still required. The Committee voted in favor of keeping a Cumulative Impact Zone.

Resolved to

- **Authorise the Licensing Team to publish a statement confirming that the authority remains of the opinion that a CIZ is still needed,**
- **Approve the draft Cumulative Impact Assessment, attached to the report as Appendix 6, to take effect from 1 April 2023 and be published accordingly.**

MINUTES END