

Time Commenced: 6:00pm
Time Finished: 7:29pm

LICENSING COMMITTEE
21 JANUARY 2016

Present: Councillor Winter (Vice Chair)
Councillors Barker, Hezelgrave, Hickson, A Holmes, Jackson, Keith, J
Khan, S Khan, Poulter, Redfern, Skelton and Whitby

39/15 Apologies for Absence

There were no apologies for absence received.

40/15 Late Items

There were no late items to be introduced by the Chair.

41/15 Declarations of Interest

There were no declarations of interest.

**42/15 Minutes of the Meeting held on 10 October and 12
November 2015**

The minutes of the meeting held on 10 October and 12 November 2015 were agreed as a correct record.

43/15 Review of Cumulative

The Committee considered a report of the Strategic Director of Communities and Place which informed Members that at the last Committee meeting they made a recommendation to Council to adopt a new revised Licensing Policy. It was noted that the Committee had resolved to defer a decision on the retention of a Cumulative Impact Policy within the revised Licensing Policy pending receipt of additional information from Derbyshire Constabulary and other responsible authorities.

Members noted from the additional information received that the existence of the Cumulative Impact Zone had sent out a clear message on the high standards that were expected to be met by licensed premises within the night time economy.

It was reported this had helped to encourage a more diverse range of licensed activity within the City Centre and helped in the award of the Purple Flag status.

The Constabulary informed Members that the Cumulative Impact Policy had also been instrumental in bringing about a noticeable shift from vertical drinking establishments to one where there are an increasing number of new restaurant businesses opening within the restricted zone.

Resolved:

- 1. To approve the revised Cumulative Impact Policy;**
- 2. To recommend Council to approve the retention of the Cumulative Impact Policy within the Council's Licensing Policy.**

44/15 Opening Hours of Licensed Sex Shops

The Committee considered a report of the Strategic Director of Communities and Place on the opening hours of licensed sex shops. It was reported that a request had been received by the holder of a licensed sex shop to open their retail premises on Sundays through the year. It was noted that the current conditions prohibit such premises from opening on Sundays without the prior consent of the Council.

Resolved to amend the Council's Standard Conditions for Sex Establishments Licences to allow licensed premises to open on Sundays in accordance with existing Sunday trading legislation restrictions.

**45/15 General Licensing Administration and Compliance
Activities for Quarter 1 and Quarter 2 2015/16**

The Committee considered a report of the Strategic Director of Communities providing the general licensing administration and compliance activities for quarter 1 and quarter 2 of the 2015/16 financial year.

Members raised concerns that there were no inspections with partner agencies during the period. It was noted that this was due to resources but that information was continually shared between partner agencies at the Responsibility Authority Meetings.

Resolved to note the report.

**46/15 Request for Approval of a Mercedes Vito M8 c/DIR to be
Licensed as a Hackney Carriage**

The Committee considered a report of the Strategic Director of Communities on the request for approval of a Mercedes Vito M8 C/DIR to be licensed as a hackney carriage. It was reported that there were currently ten types of vehicles approved to be licensed as hackney carriages within Derby City. A request had been received by a current licensed driver for the Mercedes Vito M8 C/DIR to be approved as a hackney carriage. Members noted that the vehicle had been inspected and a number of non-conformities

were identified but the proprietor had agreed to undertake any work required to meet the specification in every respect, with the exception of the vehicle length specification.

Resolved:

- 1. To approve the MERCEDES-BENZ T1 VITO V6 122 CDI (now renamed as V6 122 CDI) as a vehicle type approved as a Hackney Carriage within Derby City subject to the proprietor undertaking the work required to ensure compliance with all the Hackney Carriage Specifications, as set out in paragraphs 4.5 and 4.7 – 4.12 of this report, prior to the vehicle being issued with a hackney carriage licence;**
- 2. Subject to recommendation 2.1 being complied with, to receive written confirmation from Cab Direct through the proprietor that all works have been completed to the required standard, prior to the vehicle being issued with a hackney carriage licence;**
- 3. Subject to recommendation 2.1 being complied with, to exempt the vehicle from the vehicle length dimension provision of the Hackney Carriage Vehicle Specifications;**

47/15 Renewal of Contracts for Approved Testing Stations

The Committee considered a report of the Strategic Director of Communities and Place on the renewal of contracts for approved testing stations. It was reported that the Council approves garages to carry out testing of hackney carriage and private hire vehicles. The existing contracts for the currently approved testing stations are due to expire on 31 March 2016. It was noted that as new contracts were required, a tender process in accordance with the Council's Financial Procedure Rule would need to be undertaken.

Members raised concerns that the supplementary testing manual did not include a requirement to ensure that wheelchair equipment was maintained and tested to the required standard. Members therefore asked that provision be made to address this shortcoming within the tender documentation, prior to inviting tenders.

Resolved:

- 1. To authorise the Service Director of Communities, Environment and Regulatory Services to initiate the tendering and selection process for testing stations on the basis of the terms and conditions set out in the report and attached appendices;**
- 2. To revise the supplementary testing manual to secure that all wheelchair equipment such as carabineer clips are maintained to the manufacturers specification;**
- 3. To include the revision to the supplementary testing manual, set out in the preceding resolution, within the tender documentation to ensure that in future wheelchair equipment is tested by the approved garages.**

48/15 Taxi Licensing Administration and Compliance Activities – Quarter 1 and Quarter 2

The Committee considered a report of the Strategic Director of Communities and Place providing the taxi licensing administration and compliance activities for quarter 1 and quarter 2 of the 2015/16 financial year.

Members noted that the number of vehicles inspected was low compared to previous quarters. It was reported that this was due to staffing levels which unfortunately were much reduced compared to previous comparisons.

The Committee requested that figures were provided of any appeals that were heard in the magistrates court.

Resolved to note the report.

49/15 Taxi Licensing Fee and Charges 2016/17

The Committee considered a report of the Strategic Director of Communities and Place on the proposed licence fees and charges for driver, vehicle and operator licences for 2016/17. It was reported that should any representation be made and not withdrawn, the Council must consider them. In this event of this a provisional meeting of the Committee has been scheduled for Thursday 3 March 2016.

Resolved:

- 1. To approve the proposed licence fees and charges for driver, vehicle and operator licences and other charges for 2016/17 as set out in the report;**
- 2. To request the Service Director of Communities, Environment and Regulatory Services to advertise the proposed variation of fees;**
- 3. Subject to receiving any representations; to hold a special meeting of the Licensing Committee on Thursday 3 March 2016.**

50/15 Exclusion of the Press and Public

This item was withdrawn from the agenda.

51/15 Driver Licence Renewals

This item was withdrawn from the agenda.

MINUTES END