

LICENSING & APPEALS COMMITTEE

HELD: Tuesday, 7 December 2021

Start: 7.30 pm

Finish: 8.47 pm

PRESENT:

Councillor: T Devine (Chairman)
J Mee (Vice Chairman)

Councillors: J Witter T Aldridge
N Delaney I Eccles
J Gordon G Johnson
K Jukes K Lockie
J Monaghan P O'Neill

In attendance: Mr S Alexander, Hackney Carriage Trade Representative.

Officers: Paul Charlson, Environmental Health Manager
Michaela Murray, Senior Licensing Officer
Claire Kelly, Principal Solicitor
Andrew Smith, Legal Assistant
Kirsty Breakell, Member Services Officer

1 APOLOGIES

There were no apologies for absence received.

2 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

3 URGENT BUSINESS

There were no urgent items of business.

4 DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

5 DECLARATION OF INTEREST

Councillors Delaney and Jukes declared an interest, in that one of the Applicant's was known to them.

6 MINUTES OF SUB - COMMITTEES OR WORKING GROUPS

There were no minutes to receive.

7 MINUTES

RESOLVED: That the minutes of the meeting held on 5 October 2021, be received as a correct record and signed by the Chairman.

8 HACKNEY CARRIAGE AND PRIVATE HIRE POLICY

Consideration was given to the report of the Corporate Director of Place and Community contained on pages 43-222 of the Book of Reports which sought approval of the draft Hackney Carriage and Private Hire Licensing Policy, prior to public consultation.

The Environmental Health Manager outlined the report and the purpose of the proposed amendments to the Members of the Committee.

RESOLVED:

- A. That the draft Hackney Carriage and Private Hire Licensing Policy attached at Appendix 2 to the report be approved.
- B. That the Corporate Director of Place and Community be given delegated authority to subject the draft Hackney Carriage and Private Hire Licensing Policy to a period of public consultation before returning the document to the Licensing and Appeals Committee for final approval.
- C. That further to the recommendation at 2.2, the Corporate Director of Place and Community be given delegated authority to carry out a period of public consultation to identify if there are local circumstances which indicate that the installation of CCTV in licensed vehicles would have either a positive or an adverse net effect on the safety of hackney carriage and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.

9 LICENSING FEES

Consideration was given to the report of the Corporate Director of Place and Community contained on pages 223-232 of the Book of Reports which sought consideration of proposed changes in licensing fees and charges for 2022/23.

The Environmental Health Manager outlined the report and the purpose of the proposed amendments to the Members of the Committee

RESOLVED:

- A. That the proposed changes in Hackney Carriage and Private Hire licensing fees and charges contained in Table 1 in this report are approved.
- B. That delegated authority is granted to the Corporate Director of Place and Community to give notice under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 of the Council's intention to vary the fees and charges for vehicle, driver and operator licences.
- C. That the proposed fees and charges contained in Table 2 of the report be approved.

10 HACKNEY CARRIAGE FARES

Consideration was given to the report of the Corporate Director of Place and Community contained on pages 233-254 of the Book of Reports which sought consideration of a request from a Hackney Carriage Proprietor, representing all

Hackney Carriage trade, to increase the maximum chargeable fares payable by the travelling public for hackney carriage journeys.

The Senior Licensing Officer outlined the report and the purpose of the proposed amendments to the Members of the Committee. The Representative also gave a presentation to Members and answered any queries.

RESOLVED:

- A. That the proposed increase in hackney carriage fares detailed in Appendix 3 of the report be approved.
- B. That delegated authority be granted to the Corporate Director of Place & Community to publish a Notice in one local newspaper circulating in the Borough, detailing the proposed increase in fares.
- C. That delegated authority be granted to the Corporate Director of Place & Community to grant the fare increase should no objections be received in response to the published Notice.

11 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 2 (Identity of an individual) and Paragraph 7 (Criminal Matters) part 1 of Schedule 12A outweighs the public interest in disclosing the information.

12 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000268761

Members were asked to consider an application for a Private Hire Driver Licence, application number WK/000268694, having regard to the content of the statutory declaration that accompanied the application form and any other relevant information.

The Applicant attended the meeting and was interviewed by the Committee, during which time he was advised of his right to appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Application for Private Hire Driver Licence, number WK/000268761 be REFUSED.

(Note: The Officers from Place & Community Services and Councillors Delaney and Jukes left the meeting, as Members considered their decision in this case)

13 APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000269115

Members were asked to consider an application for a Private Hire Driver Licence, application number WK/000269115, having regard to the content of the statutory declaration that accompanied the application form and any other relevant information.

The Applicant attended the meeting and was interviewed by the Committee, during which time he was advised of his right to appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Application for Private Hire Driver Licence, number WK/000269115 be REFUSED.

(Note: The Officers from Place & Community Services left the meeting as Members considered their decision in this case)

14 **PRIVATE HIRE DRIVER LICENCE - WK/000268735**

Members were asked to consider an existing Private Hire Driver Licence, reference number WK/000268735, having regard to offences recorded against the Driver.

RESOLVED: Private Hire Driver Licence Number WK/000268735, to continue to keep his licence but receive a warning letter.

(Note: The Officers from Place & Community Services left the meeting as Members considered their decision in this case)

.....
Chairman