



## LICENSING AND ENFORCEMENT COMMITTEE

**MEETING** : Tuesday, 13th June 2017

**PRESENT** : Cllrs. H. Norman (Chair), Pearsall (Vice-Chair), Gravells, Lugg, Hanman, Haigh, D. Brown, Patel, Brazil, Hyman and Walford

### **Officers in Attendance**

Darren Mountford, Senior Licensing and Markets Officer

Vikki Fennell, Solicitor - One Legal

Meyrick Brentnall, City Centre Improvement & Environment Manager

Tony Wisdom, Democratic Services Officer

**APOLOGIES** : Cllrs. Tracey and Hansdot

### **1. APPOINTMENTS**

The appointment of Councillor Hannah Norman as Chair of the Committee made at the Annual Meeting of Council was noted.

The Chair welcomed the newly appointed Members to the Licensing and Enforcement Committee and proposed the appointment of Councillor Pearsall as Vice-Chair of the Committee. The proposal was seconded and there were no further nominations.

**RESOLVED that Councillor Pearsall be appointed Vice-Chair of the Licensing and Enforcement Committee.**

### **2. DECLARATIONS OF INTEREST**

No declarations were made on this occasion.

### **3. MINUTES**

The minutes of the meeting held on 21<sup>st</sup> March 2017 were confirmed and signed by the Chair as a correct record subject to amending the reference to Councillor Toleman in Minute 40 to refer to Councillor Tracey.

### **4. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**LICENSING AND ENFORCEMENT COMMITTEE**  
**13.06.17**

**5. PETITIONS AND DEPUTATIONS**

There were no petitions or deputations.

**6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 HACKNEY CARRIAGE TARIFF INCREASE**

The Senior Licensing and Markets Officer presented the report of the Corporate Director which outlined a proposal submitted by the Gloucester Hackney Carriage Association for an increase to the current Hackney Carriage tariff.

He reported that the Association had requested an increase of four per cent to the current tariff which had not been increased since December 2013. The Association maintained that despite the current reduction in fuel costs, all other costs including replacement parts for vehicles and insurance premiums had increased. He outlined the proposed increases as detailed in paragraph 3.5 of the report.

He drew Members' attention to the comparisons with the other local authorities in Gloucestershire together with Worcester, Bristol and Hereford detailed in Appendix 1 to the report.

**RESOLVED that**

- a) **The proposed increase to the Hackney Carriage tariff be advertised as a public notice in accordance with the requirements of Section 65 of the Local Government (Miscellaneous Provisions) Act, 1976;**
- b) **Should no objections be received from the public within 14 days of publication of the notice, the tariff will come into effect from 1<sup>st</sup> December 2017 as requested by the Gloucester Hackney Carriage Association;**
- c) **In the event of objections being received within 14 days of publication of the proposed tariff the matter will be considered further at the September meeting of the Licensing and Enforcement Committee.**

**7. SAFEGUARDING AWARENESS TRAINING**

The Senior Licensing and Markets Officer presented the report of the Corporate Director which presented the results of the six week consultation on the proposal to attach as a mandatory condition that all existing and new Hackney Carriage and Private Hire drivers undertake safeguarding awareness training.

He outlined the report and noted that the Committee had approved the proposal for a six week consultation at the previous meeting. He advised that ten responses had been received, six of which were fully in favour of the proposal and four opposed to it. The responses were attached as Appendix 1 to the report.

**LICENSING AND ENFORCEMENT COMMITTEE**  
**13.06.17**

Councillor Hyman asked if the course certificates would be transferrable if licensed drivers moved to another area. He was advised that the certificates would be valid in other local authority areas within Gloucestershire and it would be for any other local authorities to decide their validity.

Councillor Patel was advised that the course duration would be two to three hours.

Councillor Haigh referred to the Asset Based Community Development section of the report and believed that the statement at paragraph 4.0 was essentially the same as that attached to the previous report and did not address ABCD issues adequately. She hoped that Officers would address her concerns in future reports.

Councillor Gravells was advised that regular meetings were held with the Trade and that the attendance could vary between two and fifteen representatives. The Chair noted that the Senior Licensing and Markets Officer regularly spoke to members of the Trade outside of the regular meetings.

Councillor Hanman expressed concern at the low number of responses and was advised that a total of 383 letters had been sent to licensed drivers and operators.

Councillor Gravells asked what sanctions would be imposed on drivers failing to comply with the condition if it were to be introduced. He was advised that their licences would be suspended until such time as they complied with the condition.

Councillor Patel was disappointed by the level of response given the efforts made by the Council to engage with the Trade. He asked if other means of engagement had been considered.

The Senior Licensing and Markets Officer noted that applicants were asked to provide a valid e-mail address which was not always forthcoming.

Councillor Haigh suggested that consideration should be given to using text communications to drivers' mobile phones. She was advised that this had been considered but there had been difficulties raised by the Council's Information Technology partner.

She asked that an addition be made to the Officer's recommendation that licensed drivers should be requested to supply a mobile phone number and further investigations be made regarding the feasibility of Flash text communication with licensed drivers and operators.

The Committee indicated that Councillor Haigh's suggestion should be incorporated into the recommendation.

Councillor Gravells asked if the Council had replied to the respondents. He was advised that they had been thanked for their responses and had been invited to attend this meeting.

He expressed concerns at the tone and language used by one of the respondents opposed to the proposal and believed that this should be challenged.

**LICENSING AND ENFORCEMENT COMMITTEE**  
**13.06.17**

Both the Chair and the Officer advised that they had held conversations with the individual concerned.

**RESOLVED that**

- a) A mandatory condition be attached to all existing Hackney Carriage and Private Hire drivers' licences requiring them to undertake safeguarding awareness training;**
- b) All existing drivers undertake the safeguarding awareness training by 31<sup>st</sup> December 2017;**
- c) All licensed drivers be asked to provide a current mobile telephone number and further investigations be made into the feasibility of Flash text communication with licensed drivers and operators.**

**8. MEMBERS' QUARTERLY UPDATE**

The Senior Licensing and Markets Officer presented the report of the Corporate Director which outlined details of key licensing activities in the last quarter (January to March 2017) including applications and service requests received, details of any enforcement work, progress updates on the work plan and any changes in licensing law. He invited questions from Members.

Councillor Brown was advised that it was intended to continue the Best Bar None initiative in 2018.

Councillor Patel asked how many drivers were suspended following the introduction of the requirement for licensed drivers to pass the Driver & Vehicle Standards Agency enhanced assessment. He was advised that a small number remained suspended, one appeal was outstanding and the remainder had either passed the test or surrendered their licences.

Councillor Haigh enquired if any enforcement action had been taken in respect of gambling premises with particular regard to age challenge and awareness. The Senior Licensing and Markets Officer advised no enforcement work was currently undertaken but he would incorporate snap inspections into the work programme.

The Chair advised Members that another Night Time Economy Walkabout was being arranged in conjunction with the Police and enforcement officers. She hoped Members would be able to visit the custody suite at Waterwells. She advised that the last tour had lasted from 10.00pm and 3.00am and priority would be given to Licensing and Enforcement Committee Members before extending the invitation to other Councillors.

**RESOLVED that the report be noted.**

**9. EXCLUSION OF THE PRESS AND PUBLIC**

**LICENSING AND ENFORCEMENT COMMITTEE**  
**13.06.17**

**RESOLVED** that the press and public be excluded from the meeting during the following items of business on the grounds that it is likely, in view of the nature of the proceedings, that if members of the press and public are present during consideration of this item there will be disclosure to them of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

**10. EXEMPT MINUTES OF THE LICENSING AND ENFORCEMENT SUB-COMMITTEE**

**RESOLVED** that the exempt minutes of the following Licensing and Enforcement Sub-Committee meetings be received:-

13 <sup>th</sup> April 2017	Mr R.
13 <sup>th</sup> April 2017	Mr H.
25 <sup>th</sup> April 2017	Mr P.
25 <sup>th</sup> April 2017	Mr F.
26 <sup>th</sup> April 2017	Mr RK

**11. DATE OF NEXT MEETING**

Tuesday, 12<sup>th</sup> September 2017 at 6.30 pm.

**Time of commencement: 6.30 pm**

**Time of conclusion: 7.00 pm**

**Chair**