



LICENSING AND ENFORCEMENT COMMITTEE

MEETING : Tuesday, 9th December 2014

PRESENT : Cllrs. Randle (Chair), Tracey, Lugg, C. Witts, Hanman, Ravenhill, Brown, Gilson and Mozol

Officers in Attendance

Gill Ragon, Head of Public Protection

Steve Isaac, Solicitor

Lisa Jones, Food, Licensing and Markets Manager

Darren Mountford, Senior Licensing & Markets Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllrs. Patel, Llewellyn, Noakes and Chatterton

20. DECLARATIONS OF INTEREST

No declarations were made on this occasion.

21. MINUTES

The minutes of the meeting held on 9 September 2014 were confirmed and signed by the Chair as a correct record.

22. PUBLIC QUESTION TIME

Mr Zeya Ahmed of Gloucester Hackney Carriage Association expressed concerns regarding the consultation on the Hackney Carriage and Private Hire Drivers Assessment. He believed that Question 6 was poorly designed and misleading. He asked which local authorities had imposed a time limit on the Driver and Vehicle Standards Agency certificate and which authorities had required existing drivers to take the assessment.

Mr Ahmed explained that in regard to whether the test should apply to new or existing drivers, he believed that the standard for new drivers had lowered over the years so this assessment should apply to them, however it should only apply to existing drivers as a disciplinary measure when there are concerns about a driver's standard of driving. He also asked if the Council was aware of any other local authorities that required both new and existing licensed drivers to pass this assessment.

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Mr Ahmed also referred to the trial of a taxi rank at Clarence Street and asked if the Council was aware that drivers only knew of the trial two days before the start and there had been no communication or signage.

The Food, Licensing and Markets Manager advised that she would answer the questions during the presentation of the report and the Members' Update.

23. PETITIONS AND DEPUTATIONS

There were no petitions or declarations.

24. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' ASSESSMENT

The Senior Licensing and Markets Officer introduced the report which presented the results of the six week consultation on the proposal to replace the County Council Road Safety Unit assessment with the Basic Hackney Carriage and Private Hire Driver Assessment from the Driver and Vehicle Standards Agency (DVSA).

He outlined the responses which had been tabulated at paragraph 3.10 of the report and reproduced in full at Appendix 1.

Following the conclusion of his report, the Senior Licensing and Markets Officer answered Mr Ahmed's question on whether any other local authorities included existing drivers or had introduced an expiry date when adopting the DVSA driver assessment. He confirmed that he had researched other councils that had adopted the DVSA Driver Assessment and stated that he did not find a council which required existing drivers to take the driver assessment or had introduced an expiry date.

Councillor Tracey was advised that 121 Hackney Carriage Drivers, 278 Private Hire Drivers and various disability groups had been consulted on the proposal. She believed that the response was very poor and the Chair and Councillor Brown agreed.

Councillor Witts asked about the differences between the tests and was advised that the County Council test which was a single test had a very low failure rate. The DVSA test had an 85 per cent first time pass rate and was available as basic or enhanced including the wheelchair accessibility, which was also available separately. The test duration was 40 minutes with an additional 12 minutes for the wheelchair accessibility and was currently available at Bristol or Worcester.

The Senior Licensing and Markets Officer advised that should Members adopt the DVSA assessment, the DVSA would make the tests available at Quedgeley although it would take six weeks to train the examiners. He also mentioned that this could be achieved by 1 March 2015.

He advised that the fees were currently as follows:

Basic Assessment

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£79.66 weekdays before 16.00hrs
£96.00 weekends and weekdays after 16.00hrs

Enhanced Assessment

£92.94 weekdays before 16.00hrs
£112.34 weekends and weekdays after 16.00hrs

Wheelchair Accessibility

£26.56 weekdays before 16.00hrs
£32.68 weekends and weekdays after 16.00hrs

The Committee agreed that the DVSA basic assessment should be adopted for new and existing drivers. The following points were discussed:-

- Driving assessment not being something that deals with medical issues of the driver.
- All drivers have to pass a medical which is repeated annually after 65 years of age.
- Existing drivers to have passed the assessment within 18 months from 1st March 2015.
- Continue to use a requirement to retake and pass the assessment as a disciplinary measure where appropriate.
- Gloucester City Council to lead the way by imposing a ten year duration on the assessment.

RESOLVED that

- 1. The Driving and Vehicle Standards Agency Basic Hackney Carriage and Private Hire Driver Assessment, which will include the wheelchair assessment for drivers of wheelchair accessible vehicles, be adopted for all Hackney Carriage and Private Hire Drivers with effect from 1st March 2015 with a requirement that existing licensed drivers shall pass the DVSA assessment within eighteen months of that date.**
- 2. The Council shall continue to use a requirement to retake and pass the required standard of the DVSA assessment as a disciplinary measure where appropriate.**
- 3. The Driving and Vehicle Standards Agency Hackney Carriage and Private Hire Driver Assessment shall be valid for a period of ten years from the date of the assessment.**

25. ANIMAL WELFARE ACT 2006 POWERS

The Food, Licensing and Markets Manager presented the report which detailed the powers and responsibilities of the Council under the Animal Welfare Act 2006.

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She advised that the report had been presented to Committee for information following the decision made at the last meeting to adopt an Animal Welfare Licensing Policy. The report would be presented to the Constitutional and Electoral Working Group who would be requested to recommend the Council to approve the use of powers under the Act and the necessary amendment to terms of reference, authorisations and delegation of powers.

Members welcomed the report and officers undertook to provide further information on where animals would be taken, the fostering of animals and licensing requirements for travelling circuses.

RESOLVED that the report be received.

26. MEMBERS' UPDATE FOR LICENSING AND ENFORCEMENT COMMITTEE

The Food, Licensing and Markets Manager introduced the report which provided details of the following:-

- Licensing activities in the last quarter
- New licensing applications
- Enforcement work
- Legislative updates
- Forward work plan

She referred to the trial taxi rank which had operated from midnight until 05.00 to relieve pressure on the Bus Station rank. She hoped to repeat the trial with temporary signage following Mr Ahmed's comments.

Councillor Tracey suggested a dedicated telephone in the Railway station and was advised that a permit would cost £600 per annum.

She referred to an incident when a private hire driver had to telephone the premises from which a car had been ordered to establish its whereabouts and then the driver did not the route to Abbeymead. She was advised that hackney carriage drivers undertook a knowledge test and private hire drivers were tested on literacy, numeracy and map reading skills.

The Head of Public Protection advised Members who had similar experiences to try and establish the operator, badge or plate numbers of the vehicle involved and report the incident to the licensing team.

The Food, Licensing and Markets Manager drew Members' attention to the Taxi and Private Hire Ambassador Scheme which had received European Union funding and would be expanded to include hoteliers and retailers.

RESOLVED that the report be noted.

27. DATE OF NEXT MEETING

Tuesday, 17 March 2015 at 6.30pm.

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The Chair wished all present a Merry Christmas and Happy New Year.

Time of commencement: 18:30 hours

Time of conclusion: 20:10 hours

Chair