

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 30 OCTOBER
2019, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors B Crystall, M Goldspink, A Hall,
J Jones, M McMullen, T Page, S Reed,
M Stevenson, N Symonds and C Wilson

ALSO PRESENT:

Councillors P Ruffles

OFFICERS IN ATTENDANCE:

Brad Wheeler - Senior Licensing
and Enforcement
Officer

205 APOLOGY

An apology for absence was received from Councillor R Bolton.

206 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all Members to the meeting. Councillor M Goldspink was welcomed to the Committee as a replacement for Councillor S Bell. Stephanie Tarrant, Democratic Services Officer from Hertfordshire County Council, was introduced to the Members.

207 MINUTES - 21 AUGUST 2019

Councillor N Symonds proposed and Councillor S Reed seconded a motion that the Minutes of the meeting held on 21 August 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 21 August 2019 be confirmed as a correct record and signed by the Chairman.

208 LICENSING SUB-COMMITTEE - 28 AUGUST, 4 AND 19 SEPTEMBER 2019

Councillor N Symonds proposed and Councillor S Reed seconded a motion that the Minutes of the Licensing Sub Committees held on 28 August, 4 September and 19 September 2019 be received.

RESOLVED – that the Minutes of the Licensing Sub Committees held on 28 August, 4 September and 19 September 2019 be received.

209 CONSIDERATION OF RESPONSES TO THE PROPOSAL TO LIMIT HACKNEY CARRIAGE VEHICLE LICENCES TO TWO HUNDRED

The Senior Licensing and Enforcement Officer drew Members' attention to the results of the consultation, which took place between 26 August 2019 and 19 September 2019, to limit the number of Hackney

Carriage Vehicle Licences. Approximately 250 consultation letters were sent and a total of three responses were received. It was noted that the first response agreed with the proposal and further suggested that the limit of licences issued should be set between 180-190, however a reason for this was not provided. The second response noted that it was too little too late and the third response agreed with the proposal and accounted for the views of 9 licenced drivers.

Councillor D Andrews acknowledged that the lack of response suggested that those in the trade were not unduly worried about the proposed limit.

Councillor M McMullen sought and was provided with clarification that the limit would not affect current licence holders. The number of licences would diminish through natural wastage and polices being applied flexibly. New applications could still be submitted with each application considered in its own merits. Electric vehicles with disabled access could receive dispensation.

Councillor M Stevenson commented on the effects of vehicles from other areas operating in Hertford, as mentioned in the first consultation response. It was advised that Licensing Officers actively patrolled local areas to enforce regulations.

In response to a query from Councillor M Goldspink, it was noted that the limit would be monitored by Licencing Officers and could be reviewed in the future if required.

It was moved by Councillor M McMullen and seconded by Councillor S Reed that the Hackney Carriage trade be limited to 200 with a flexible approach being taken in terms of the application of policy in relation to wheelchair accessible vehicles and electric vehicles. The overall number would be reduced by natural wastage and this approach should be adopted. After being put to the meeting and a vote taken, the motion was declared carried.

RESOLVED – that (A) the proposed limit of 200 Hackney Carriage Vehicle Licences was the correct level;

(B) recommend to Council that a limit be imposed on the number of Hackney Carriage Vehicle Licences that were issued, including the level of that limit from 1st January 2020.

210 CONSIDERATION OF MANDATING SUBSCRIPTION TO THE DBS UPDATE SERVICE FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

Members considered a report which proposed consultation on mandatory subscription to the DBS update service for Hackney Carriage and Private Hire Drivers. Currently a combination of Enhanced and Basic DBS checks were used to ensure that drivers were fit to hold a licence, with an Enhanced DBS check every 3 years and a Basic DBS check for the subsequent two years, before the three year cycle restarted.

Members noted the four outcomes of a DBS check using the update service as detailed at paragraph 2.5 of the report and acknowledged the benefits of the update service which were detailed at paragraph 2.4 of the report.

Councillor D Andrews sought and was provided with clarification that DBS renewals would still need to be diarised by officers as the update service would not create an automatic renewal notification. The service would however dramatically reduce the time officers spent processing DBS checks and alleviate the need for drivers to attend for a face to face meeting to complete the check.

Councillor B Crystall queried if there were any disadvantages to using the subscription service. The Licensing and Enforcement Officer advised that they did not see any disadvantages and had experience of using the system elsewhere. It was noted that checks would be with driver consent and that the record would be marked to show when and by whom a DBS was checked. The system reduced risk and strengthened the renewal and safeguarding process.

Councillor C Wilson sought and was provided with clarification of the proposed action if an updated certificate detailed unknown information. Drivers would have their licence suspended until a full renewal had been undertaken. In response to concerns that this would cost a driver their livelihood for a period of time, it was noted that drivers were legally obliged to inform the Council of any convictions within 7 days and therefore there should not be any unknown reports

arsing. It was noted that any offences would be presented to the Sub-Committee and that drivers also had the opportunity to appeal a suspension.

It was moved by Councillor C Wilson and seconded by Councillor J Jones that a 6 week public and trade consultation take place regarding the mandatory requirement for licensed drivers to maintain a subscription to the DBS Update Service whilst they remain licensed. After being put to the meeting and a vote taken, the motion was declared carried.

RESOLVED – that a 6 week public and trade consultation take place regarding the mandatory requirement for licensed drivers to maintain a subscription to the DBS Update Service, whilst they remain licensed, with the results of that consultation to be brought back to Licensing Committee for consideration.

The meeting closed at 7.30 pm

Chairman
Date