

Minutes of Licensing Committee

Meeting Date: Tuesday, 12 November 2019 starting at 6.30pm
Present: Councillor G Mirfin (Chairman)

Councillors:

J Alcock	S O'Rourke
D Berryman	S Rainford
S Hore	M Robinson
A Knox	G Scott
D O'Rourke	N Walsh

In attendance: Head of Legal and Democratic Services and Solicitor.

Not in attendance: Councillors R Bennett and S Hirst.

364 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors R Baxter and B Hilton.

The Committee received the minutes of the Licensing Sub-Committees held on 4 June 2019 and 17 September 2019.

365 MINUTES

The minutes of the meeting held on 10 September 2019 were approved as a correct record and signed by the Chairman.

366 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of pecuniary and non-pecuniary interest.

367 PUBLIC PARTICIPATION

There was no public participation.

368 ANNUAL FEES AND CHARGES

The Chief Executive submitted a report to determine the annual fees for hackney carriage, private hire, scrap metal and sex establishment licences. The Solicitor outlined that the legislation provides that the fee should be set at a level which provides 'such a fee as they consider reasonable with a view to recovering the costs of issue and administration'. The Council recommended uplifting the fees by reference to inflation (based on 2%) as this is the amount by which they were advised that the Council's costs have increased. It was noted that enforcement costs cannot be included in these fees.

Councillors discussed various aspects of the report of the report including how fees compare to other authorities.

RESOLVED: That Committee

1. agree to set the fees for hackney carriage and private hire licences for the year 2020/21 as those set out in Appendix 1 to the report;
2. agree to set the fees for scrap metal dealers' licences for the year 2020/21 as those set out in Appendix 2 to the report; and
3. agree to set the fees for sex establishment licences for the year 2020/21 as those set out in Appendix 3 to the report.

369 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS' KNOWLEDGE TEST

The Chief Executive submitted a report to seek Committee's views upon whether applicants for hackney carriage and private hire drivers' licences should be permitted to sit an additional knowledge test(s) having failed the maximum of 4 which is currently permitted and, if so, what arrangements should be put in place to allow additional test papers or other arrangements to be made available, to include setting an appropriate fee.

The Solicitor outlined the Council's requirements for applicants for hackney carriage and private hire drivers licences to pass a knowledge test. Applicants for licences are given 4 opportunities to pass the knowledge test which may be taken on paper or verbally at the Council offices. Members were appraised of two recent issues, the first whether an applicant who has failed all 4 tests should be allowed one or more further tests and the second, whether an applicant should be allowed the opportunity of a practical test to be carried out by a member of staff accompanying them in their vehicle.

Members discussed various aspects of the report and options to resolve the above issues. An amendment was proposed to allow one final attempt at the knowledge test taking place no earlier than one year from the date of the fourth attempt.

RESOLVED: That Committee vary the conditions of hackney carriage drivers licences and private hire drivers licences to allow an applicant who has failed the test on 4 occasions to have one further attempt at the knowledge test with this final test taking place no earlier than one year from the date of the fourth test, using one of the four existing test papers.

370 PUBLIC MEETING WITH LICENCE HOLDERS

The Chief Executive submitted a report to inform Committee of the arrangements for, and provisional agenda of, the 'annual' taxi meeting. The Head of Legal and Democratic Services gave an overview of hackney carriage and private hire licences and the law concerning both. Councillors raised several queries.

RESOLVED: That the report be noted.

The meeting closed at 7.02pm.

If you have any queries on these minutes please contact Diane Rice (414418).