

Minutes of the meeting of the LICENSING
COMMITTEE held at 11.30 am on Tuesday,
30th July, 2019 at Main Committee Room,
Civic Centre, Stone Cross, Rotary Way,
Northallerton, DL6 2UU

Present

Councillor R Kirk (in the Chair)

Councillor	P Bardon	Councillor	M Taylor
	M A Barningham		P Thompson
	C A Dickinson		D Watkins
	N A Knapton		

Apologies for absence were received from Councillors K G Hardisty and A Wake.

LC.3 **MINUTES**

THE DECISION:

That the minutes of the meetings of the Committee held on 5 February and 21 May 2019 (LC.10 - LC.11 and LC.1 – LC.2), and the meetings of the Licensing and Appeals Hearings Panel held on 5 February, 17 April, 6 June, 12 June and 9 July 2019 (LAHP.27, LAHP.28 – LAHP.29, LAHP.30, LAHP.1, LAHP.2 – LAHP.3 and LAHP.4) previously circulated, be signed as correct records.

LC.4 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - VEHICLE AGE LIMITS**

All Wards

The subject of the decision:

This report sought consideration of a review of the hackney carriage and private hire vehicle age limits contained within the Council's Hackney Carriage and Private Hire Licensing Policy in order to improve standards and practices.

Alternative options considered:

The Committee was satisfied that a review of the age limits would be appropriate and a number of alternative approaches were considered. Specifically, the Committee considered making distinctions based on different vehicle types (i.e. petrol, vehicle, electric). The Committee concluded that the proposal was appropriate subject to the addition of a specific provision in respect of fully electric vehicles. No further amendments were deemed necessary.

The reason for the decision:

The Committee considered the Director's report in relation to the vehicle age limits contained within the Council's Hackney Carriage and Private Hire Licensing Policy.

The Committee also considered the responses to a preliminary consultation undertaken with the hackney carriage and private hire trade in February 2019. The Committee noted that only one of the consultees opposed a review of the vehicle age limits.

The Committee noted that the Council's existing vehicle age limits were higher than the limits imposed by neighbouring authorities, thereby providing a potentially attractive proposition to proprietors operating outside the district of Hambleton. The Committee was satisfied that a review of the age limits would be appropriate in order to address the potential risk to public safety and the sustainability of the existing trade.

The Committee considered the impact that the proposals may have on air quality within the district. The Committee noted that the Council was expected to consider to what extent the Hackney Carriage and Private Hire Licensing Policy could support any local environmental initiatives. The Committee was satisfied that any eventual reduction to the vehicle age limits would have a positive impact on air quality. The Committee considered whether or not to amend the proposal to further reduce the age limit pertaining to diesel vehicles. The Committee noted that the existing proposal, if approved, would ensure that all vehicles licensed by the Council would possess Euro V technology and all vehicles licensed after 1 September 2020 would possess Euro VI technology. On that basis, the Committee was satisfied that the existing proposal adequately promoted the Council's environmental initiatives.

The Committee noted that the purchase cost of electric vehicles may discourage members of the trade from licensing any such vehicles for private hire and public hire purposes. The Committee noted that steps should be taken to mitigate costs where wider social benefits are provided. The Committee was satisfied that arrangements should be made to encourage the use of electric vehicles and therefore concluded that the proposal should be amended to include provision for fully electric vehicles to be subject an upper age limit of 10 years.

The Committee noted that wheelchair accessible vehicles were not currently subject to the general age restrictions contained within the policy. The Committee was satisfied that the exemption was intended to ensure that proprietors were not discouraged from licensing wheelchair accessible vehicles and therefore concluded that the exemption should remain in place.

The Committee was satisfied that the proposed amendments would be likely to improve standards and therefore authorised the commencement of the consultation in order to gauge the views of the trade.

THE DECISION:

That a full consultation be authorised to be carried out in relation to the hackney carriage and private hire vehicle age limit proposals (as amended by Members) on the understanding that the matter will be referred back to the Committee for consideration of any responses.

LC.5 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - PRACTICAL DRIVING ASSESSMENTS**

All Wards

The subject of the decision:

This report sought consideration of a reinstatement of a previous requirement for hackney carriage and private hire drivers to undergo a practical driving test prior to obtaining a licence.

Alternative options considered:

The Committee considered rejecting the proposal but concluded that it was appropriate to consult on practical driving assessments and no amendments were deemed necessary.

The reason for the decision:

The Committee noted that, prior to 1 January 2017, all applicants for hackney carriage and private hire driver licences were required to undergo a practical driving assessment to demonstrate competence.

The Committee was satisfied that the proposals would assist the Council in assessing the suitability of an applicant for a hackney carriage and private hire driver licence.

THE DECISION:

That a full consultation be authorised to be carried out in relation to practical driving assessments on the understanding that the matter will be referred back to the Committee for consideration of any responses.

LC.6 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - INSURANCE WRITE-OFFS**

All Wards

The subject of the decision:

This report sought consideration of applying a general prohibition on specified categories of insurance write-offs in relation to all hackney carriage and private hire vehicles.

Alternative options considered:

The Committee considered rejecting the proposal but concluded that it was appropriate to consult on insurance write-offs and no amendments were deemed necessary.

The reason for the decision:

The Committee was satisfied that any vehicle subject to an insurance write-off should be adequately assessed before it can be used for public and private hire purposes.

THE DECISION:

That a full consultation be authorised to be carried out in relation to insurance write-offs on the understanding that the matter will be referred back to the Committee for consideration of any responses.

LC.7 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - SAFEGUARDING TRAINING**

All Wards

The subject of the decision:

This report sought consideration of introducing a requirement for hackney carriage and private hire drivers to undergo safeguarding training prior to obtaining a licence.

Alternative options considered:

The Committee was satisfied that it was appropriate to review the Council's position with regards to safeguarding training for hackney carriage and private hire driver. A number of alternative approaches were considered and the Committee was satisfied that the consultation should not be restricted to new drivers. No further amendments were deemed necessary.

The reason for the decision:

The Committee considered the Director's report and was satisfied that safeguarding awareness training was a suitable and relevant requirement for all licensed drivers.

The Committee concluded that the proposal should be revised to include a requirement for all licensed drivers to complete the safeguarding training every three years.

THE DECISION:

That a full consultation be authorised to be carried out in relation to mandatory safeguarding training on the understanding that the matter will be referred back to the Committee for consideration of any responses.

LC.8 **LICENSING ACT 2003 STATEMENT OF LICENSING POLICY**

All Wards

The subject of the decision:

This report sought approval for a consultation on the proposed revision of the Licensing Act 2003 Statement of Licensing Policy.

Alternative options considered:

The Committee considered the Director's report and, having concluded that the proposed amendments were appropriate, no alternative options were deemed necessary.

The reason for the decision:

The Committee was satisfied that the amended policy takes account of recent legislative changes and provides additional guidance for the benefit of the public and trade.

THE DECISION:

That a full consultation be authorised to be carried out in relation to the draft Statement of Licensing Policy on the understanding that the matter will be referred back to the Committee for consideration of any responses.

The meeting closed at 12.20 pm

Chairman of the Committee