

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Tuesday, 29 October 2019 at 6.00 pm in Meeting Rooms G3/G4, Addenbrooke House, Ironmasters Way, Telford, TF3 4NT

Present: Councillors E A Clare (Chair), C R Turley (Vice-Chair), M B Hosken, C F Smith and B J Thompson

In Attendance: A Astley (Assistant Director: Neighbourhood & Customer Services) N Minshall (Service Delivery Manager), A Hunt (Public Protection Manager), S Fisher (Principal Licensing Officer), J Galkowski (Democratic Services and Scrutiny Officer), J Fisher (Locum Regulatory Solicitor)

Apologies: Councillor M J Smith

LIC1 Declarations of Interest

None.

LIC2 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Licensing Committee held on 19 March 2019 be confirmed and signed by the Chair.

LIC3 Terms of Reference

The Council's Constitution required that Full Council should agree at its Annual Meeting the Terms of Reference for each of its Committees to enable the Council to efficiently conduct its business. At the annual Meeting on the 23rd May 2019, Full Council delegated authority to each Committee to review its own Terms of Reference. No changes were suggested to the Terms of Reference.

Upon being put to the vote it was, unanimously:-

RESOLVED – that the Terms of Reference of the Licensing Committee be agreed.

LIC4 Review of the Council's Hackney Carriage and Private Hire Licensing Policy for Determining the Suitability of a Person to hold a Licence

The Committee were presented a report by the Service Delivery Manager for Public Protection on the revision of Telford and Wrekin Council's Hackney Carriage and Private Hire licensing policy for determining the suitability of an individual to hold a License. The revision reflected the advice given in the Institute for Licensing's report published in April 2018 on "Guidance on Determining the Suitability of Applicants and Licensees in the Hackney

Carriage and Private Hire Trades. An error in Appendix A to the report was identified in the last paragraph on page 16 of the agenda pack: the sentence should have read that "...each case will be considered on its individual merits" in relation to officers and the committee and their regard for the policy, even where the policy said "never". The Committee heard a summary of the proposed changes that were laid out in Appendix B to the report.

During the ensuing discussion, on the Council's definition of a safe and suitable person, Members raised the need to include proof that the individual had a passport or the right to work in the country. The members were informed that it was a legal requirement that an applicant had proof of right to work in the UK, and that the Council was not permitted to issue a license if the applicant could not produce one of the approved documents (as set out in law) to demonstrate this. Furthermore, members were informed that the Council followed national policy and that adding a requirement for a British passport could lead to legal challenges.

A query was raised regarding the use of CCTV in Hackney Carriages and Private Hire in the Borough and in response Members were informed that Go Carz and Diamond firms who had been Licensed by the Council, had approached the Council with regard to the voluntarily installation of CCTV in their employees' cars to ensure the safety of their customers and drivers. Furthermore, the Council was actively lobbying the government to change national policy in order to prevent drivers from working in areas where they did not obtain their licence. In the meantime, discussions had taken place with Wolverhampton and Shrewsbury Councils to seek an agreement to enhance their standards to meet those of this Council.

Members recorded their congratulations to the officers attending the meeting for how they had dealt with problems that had arisen in the Borough over the years, and the high standard to which they had reacted to those challenges.

Upon being put to a vote it was, unanimously; -

RESOLVED – that;

- a) a 28 day consultation on the revised policy be approved;**
- b) The Public Protection Manager, Principal Licensing Officer in conjunction with the Chair of Licensing Committee be authorised to consider and determine the results of the consultation, unless the responses are significant and require determination by the Committee**
- c) Following the consultation and where there is no requirement to bring the policy back before the committee, the revised policy be taken into effect from 1st January 2020.**

The meeting ended at 6.26 pm

Chairman:

Date: Tuesday, 21 January 2020