

**MINUTES
ENVIRONMENT AND LICENSING COMMITTEE**

Tuesday 9 February 2016

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks Councillor Carol Pepper
 Councillor Bruce Andrews Councillor Alex Scroggie
 Councillor Sandra Barnes Councillor Jane Walker
 Councillor Bob Collis

Absent: Councillor Gary Gregory, Councillor Barbara Miller
 and Councillor John Parr

Officers in Attendance: P Gibbs, A Callingham, H Cash, L Mellors, K Nealon,
 S Steventon and L Sugden

311 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Gregory and Parr.

Councillor Wilkinson attended the meeting as substitute for Councillor Miller, who had given her apologies.

**312 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 12 JANUARY 2016.**

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

313 DECLARATION OF INTERESTS.

None.

**314 INTRODUCTION OF A SAFEGUARDING AWARENESS SESSION
WITH TEST AS PART OF THE PRIVATE HIRE /HACKNEY
CARRIAGE DRIVERS AND PRIVATE HIRE OPERATORS
LICENSING PROCESS**

Consideration was given to the report by the Service Manager, Public Protection, which had been circulated prior to the meeting, to seek approval to introduce a Safeguarding Awareness session with test for Private Hire/Hackney Carriage Drivers and Private Hire Operators as part of the application and renewal process for Private Hire and Hackney

Carriage Driver's and Private Hire Operators licences ("driver's licences").

RESOLVED:

1. To consult on the introduction of the Gedling Borough Council Safeguarding Awareness session and test;
2. That the Corporate Director, in consultation with the Chair of Environment and Licensing Committee, be authorised to introduce the Safeguarding Awareness session with test after taking into account any comments received during the consultation period;
3. That all those submitting an application for a Private Hire/Hackney Carriage Driver's licence and or an Operator's Licence on or after 1st April 2016 be required to attend and pass the Gedling Borough Council Safeguarding Awareness session and pass the test as part of the application process;
4. That all those who currently hold a Gedling Borough Council Private Hire/Hackney Carriage driver's licence and or an Operator's Licence which is due for renewal on or after 1st July 2016 be required to pass the Gedling Borough Council Safeguarding Awareness session as part of the renewal application process;
-
5. That holders of Hackney Carriage Drivers Licence or Operators licence will be required to undertake refresher safeguarding training and test every 3 years either as part of the renewal process for holders of a 1 year licence, or at the first declaration stage for 3 year licence holders;
6. That the minimum pass rate for the Gedling Borough Council Safeguarding Test be set at 75%; and
7. That Officers report back to The Environment and Licensing Committee 12 months after the introduction of the Gedling Borough Council Safeguarding Awareness session and test to update Members as to its progress.

315

CHANGES TO THE STATEMENT OF POLICY AND GUIDELINES FOR THE CONSIDERATION OF APPLICATIONS FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS AND PRIVATE HIRE OPERATORS

Consideration was given to the report by the Corporate Director, David Wakelin, which was circulated prior to the meeting, seeking approval of amendments to the Statement of Policy and Guidelines for the Licensing of Hackney Carriage Drivers, Private Hire Drivers and Private Hire Operators for consultation.

RESOLVED:

1. To approve the amendments to the Statement of Policy and Guidelines for the Licensing of Hackney Carriage Drivers, Private Hire Drivers and Private Hire Operators for consultation with the Hackney Carriage and Private Hire trade, subject to the approval of the Safeguarding Awareness session with test.
2. That the Corporate Director, in consultation with the Chair of Environment and Licensing Committee, be authorised to agree the final Policy after taking into account any comments received during the consultation period.

316

CHANGES TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE AGE POLICY, SPECIFICATION FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES AND THE HACKNEY CARRIAGE AND PRIVATE HIRE SUPPLEMENTARY TESTING MANUAL

Consideration was given to the report by Service Manager, Public Protection, which had been circulated prior to the meeting, seeking the approval of the proposed Hackney Carriage and Private Hire Specification, Inspection and Testing Manual for consultation.

RESOLVED:

1. To approve the Hackney Carriage and Private Hire Specification, Inspection and Testing Manual for consultation with the Hackney Carriage and Private Hire trade;
2. That the Corporate Director, in consultation with the Chair of Environment and Licensing Committee, be authorised to agree the final Manual after taking into account any comments received during the consultation period; and
3. That all vehicles presented at the test station in pursuit of either a Private Hire or Hackney Carriage vehicle licence, on or after 1st April 2016, will be considered and tested in line with Gedling Borough Council Hackney Carriage and Private Hire Specification, Inspection and Testing Manual (subject to any changes made following the consultation).

317

CHANGES TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCE CONDITIONS AND HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

Consideration was given to the report of the Service Manager, Public Protection, which had been circulated prior to the meeting, seeking approval for amendments to the Hackney Carriage and Private Hire Vehicle Licence Conditions and the Hackney Carriage and Private Hire Driver's Licence Conditions.

RESOLVED:

1. To approve the proposed Hackney Carriage and Private Hire Vehicle Licence Conditions and the Hackney Carriage and Private Hire Driver's Conditions for consultation with the Hackney Carriage and Private Hire trade.
2. That the Corporate Director, in consultation with the Chair of Environment and Licensing Committee, be authorised to agree the final conditions after taking into account any comments received during the consultation period.
3. That all vehicle and driver's licences, Private Hire or Hackney Carriage issued on or after 1st April 2016, will be conditioned in line with Gedling Borough Council Hackney Carriage and Private Hire Vehicle or Driver's Licence Conditions, respectively.

318

PROPOSED GENERAL AND TAXI LICENSING FEES FOR 2016/17

Consideration was given to a report of the Service Manager, Public Protection, which had been circulated prior to the meeting, seeking approval of a proposed increase to taxi licensing and general fees for 2016/17.

RESOLVED to approve:

1. The fees and charges for 2016/17 with effect from 1st April 2016;
2. The fees for taxi operators and vehicle licences for 2016/17 for advertisement in accordance with the Local Government (Miscellaneous Provisions) Act 1976 and that such fees automatically come into force if no objections are received within the statutory period; and

3. The proposed fees for taxi driver's licences detailed in Appendix 1 for 2016/17 for advertisement and that the Corporate Director, in consultation with the Chair of Environment and Licensing Committee, be authorised to agree the final fees after taking into account any comments received during the consultation period.

319 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

320 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

321 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - CPS

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for Joint Hackney Carriage/Private Hire Driver's Licence from CPS.

CPS attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve CPS's application for a Hackney Carriage/Private Hire Driver's Licence for a period of 1 year, with a warning as to the necessary consequences of any further convictions or appearances before Committee.

322 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - AB

The Committee considered a report from Corporate Director, David Wakelin for a change of circumstance of Joint Hackney Carriage/Private Hire Driver's Licence for AB.

AB attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To suspend the Hackney Carriage/Private Hire Driver's Licence held by AB for a period 28 days, without immediate effect and to give AB 21 days to surrender his licence.

AB was advised of his right to appeal against the decision of the Committee.

Councillor Scroggie left the Council Chamber 5.45pm.

Councillor Scroggie returned to the Council Chamber 5.55pm.

323 APPLICATION FOR A JOINT HACKNEY CARRIAGE /PRIVATE HIRE DRIVER'S LICENCE - TAK

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for Joint Hackney Carriage/Private Hire Driver's Licence from TAK.

TAK attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve TAK's application for a Hackney Carriage/Private Hire Driver's Licence for a period of 1 year, with a warning as to the necessary consequences of any further convictions or appearances before Committee.

324 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - AA

The Committee considered a report from Corporate Director, David Wakelin for a change of circumstance of Joint Hackney Carriage/Private Hire Driver's Licence for AA.

AA attended the meeting with a friend and both addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To suspend the Hackney Carriage/Private Hire Driver's Licence held by AA for a period 56 days, without immediate effect and to give AA 21 days to surrender his licence.

AA was advised of his right to appeal against the decision of the Committee.

The meeting finished at 7.05 pm

Signed by Chair:
Date: