

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **REGULATORY COMMITTEE** held on 29 February 2016 at 10.00 am

### **Present**

#### **Councillors**

D R Coren (Chairman) Mrs E M Andrews, R J Chesterton, Mrs F J Colthorpe, T G Hughes, P H D Hare-Scott, C J Eginton, Mrs B M Hull, Mrs G Doe, J L Smith and L D Taylor

### **Apologies**

#### **Councillors**

N V Davey and J M Downes

### **Present**

#### **Officers**

Thomas Keating (Lead Licensing Officer), Simon Johnson (Legal Services Manager), Jacqueline Taylor (Licensing Officer) and Sarah Lees (Member Services Officer)

## 12 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Councillors N V Davey and J M Downes.

## 13 **PUBLIC QUESTION TIME**

There were no members of the public present.

## 14 **MINUTES**

The minutes from the meeting held on 15 October 2015 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

## 15 **ENFORCEMENT UPDATE (00:03:00)**

The Licensing Enforcement Officer provided the following verbal update regarding recent and current enforcement action:

- Due to a licence expiring, a caution had been issued to a Private Hire Operator, however, due to personal circumstances the operator had not undertaken any official pre-booked journeys in the intervening period.
- Working in partnership with the Police, an exercise had been undertaken to randomly spot check licensed vehicles. Twenty nine vehicles had been inspected with only minor issues, such as blown bulbs, being reported. Feedback from the public had been positive. It was hoped that further checks would take place in the near future working jointly with the DVSA. It was suggested that the Department for Work and Pensions (DWP) could assist in future exercises of this nature.
- Evidence of possible cocaine use had been detected recently in pubs in Tiverton and Cullompton. Licensees had been advised to be extra vigilant.

**16 TO ADOPT THE UPDATED POLICY AND CONDITIONS RELATING TO HACKNEY CARRIAGE AND PRIVATE HIRE OPERATIONS (00:14:45)**

The Committee had before it a report \* from the Head of Human Resources and Development putting forward an updated policy with regard to Hackney Carriage and Private Hire Operations. It was explained that certain key features needed to remain within the policy such as the importance of compulsory inspections and the age limit for vehicles (that is, they must be five years old or younger). However, the structure and layout of the policy needed updating and much more information needed to be supplied in order to better inform the Hackney Carriage and Private Hire sector. Essential information, such as conditions and dress code were now included as a set of appendices at the back of the policy. This would aid updating in the future. It was hoped that a small booklet would be produced in the near future summarising the key points.

In addition, the policy now included expanded sections in relation to the following:

- Detailed advice on how to apply for a licence;
- The aims and objectives of the licensing policy and the five core principles (“public safety” being the top priority);
- The policy now provided clearer guidance on how to determine whether an individual was a ‘fit and proper’ person to hold a licence. Driver’s had access to a lot of personal information such as where a person lived therefore the licensing authority needed to satisfy itself in this regard particularly;
- The use of e-cigarettes and vaporisers had been banned;
- There needed to be clearer information supplied by the applicant regarding previous convictions, arrests and cautions;

Three responses had been received in response to the consultation on the document. Some useful suggestions had been made with regard to the checking of MOT documents and as a result it was suggested that the policy be amended to make it clear that the MOT could be checked online by the Council and that drivers do not need to provide documentation, unless it was directly requested by the Council for some reason. In addition, following a further comment made by a consultee, it was suggested that, similar to the MOT system, the vehicle test could be conducted and submitted a maximum of 28 days early, preserving the original due date. The next vehicle test would then be due 6 months after the original due date saving a driver the loss of any time for having submitted the test early.

Discussion took place regarding:

- The importance of producing a summarised booklet although this needed to be printed in the most cost effective manner involving possible collaboration with other local authorities;
- The use of ‘Uber’. It was explained that this was an online vehicle dispatch company which allowed customers with smartphones to submit a trip request, via an app, which was then routed the ‘Uber’ drivers who used their own cars to pick customers up. Credit cards could be debited at source rather than having to exchange cash. However, there were some concerns about the safety of passengers and since the booking was taken via a satellite it was not clear ‘where’ the booking actually took place;

- The Hackney & Private Hire Newsletter – one taxi driver had commented that it had seemed quite negative. Better thought needed to be given to how the licensing authority engaged with taxi drivers. Very little feedback was ever received therefore alternative methods needed to be found to ensure the mutual exchange of information. It was suggested that as part of the summary booklet, tips could be provided on how taxi drivers can ensure their own personal safety;
- Banning the use of e-cigarettes and vaporisers - factors such as image, professionalism, acceptable behaviour were deemed to be important;
- The use of taxi ranks by 'off duty' taxi drivers;
- The Rotherham case and how the lessons learnt from this have informed policy in licensing authorities.

**RESOLVED** that, following consideration of the proposed changes in the draft policy document, the reviewed policy be approved.

(Proposed by the Chairman)

Note: \* Report previously circulated; copy attached to the signed minutes.

(The meeting ended at 10.46 am)

**CHAIRMAN**