

MINUTES of a meeting of the LICENSING COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 23 NOVEMBER 2016

Present: Councillor N Smith (Chairman)

Councillors G A Allman, R Ashman, J Clarke, J Cotterill, D Everitt, T Eynon, J Geary (Substitute for Councillor N Clarke), G Houlton, P Purver, V Richichi, A C Saffell and S Sheahan

In Attendance: Councillor A V Smith MBE (Portfolio Holder)

Officers: Mr S Eyre, Mr D Gill, Mr L Mansfield and Mrs R Wallace

18. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Houlton and N Clarke.

19. DECLARATIONS OF INTEREST

There were no declarations of interest.

20. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 5 October 2016.

An amendment was requested to insert Councillor G Houlton into the attendance list as she was at the meeting.

It was moved by Councillor M Specht, seconded by Councillor J Clarke and

RESOLVED THAT:

Subject to the above amendment, the minutes of the meeting held on 5 October 2016 be approved and signed by the Chairman as a correct record.

21. PURPLE FLAG ACCREDITATION - ASHBY DE LA ZOUCH - UPDATE

The Environmental Health Team Manager presented the report to Members. He provided an update on the current position and informed Members that due to some further work required in two areas, the application would now be submitted at the end of January 2017.

As the representative Member for the project, Councillor M Specht expressed his disappointment that the application would not be submitted before the Christmas period as intended but he understood the reasons behind the decision and was happy with the proposals.

In response to a question from Councillor S Sheahan, the Environmental Health Team Manager explained that the website would be managed by Ashby Town Council and the Community Focus Team at the District Council.

It was moved by Councillor M Specht, seconded by Councillor V Richichi and

RESOLVED THAT:

The report be noted.

Chairman's initials

22. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE POLICY AND CONDITIONS

The Environmental Health Team Manager presented the report to Members highlighting the results of the consultation for each proposal and the recommendations proposed as a result.

The Chairman reminded Members that the safety of the public was their primary concern when considering the policy but they needed to be sensible regarding the impact on taxi drivers.

Councillor S Sheahan was pleased with the outcome of proposal seven to not pursue the introduction of a livery colour for hackney carriages. After a discussion regarding the vehicle licence fee discount for ultra low emission vehicles at proposal five, Councillor S Sheahan asked that the wording be made clear that it was an annual discount each time the licence was renewed.

In response to questions regarding proposal one from Councillor V Richichi, the Licensing Team Leader explained that there was not a set timescale between the two visual inspections permitted, it was not necessary as the vehicle would only be licensed once the inspection had been successful so they would not be licensed to drive in between. He also confirmed that regular visual and mechanical inspections were undertaken throughout the year by the enforcement officers.

In response to a question from Councillor J Geary, the Licensing Team Leader confirmed that drivers were not asked to present the vehicle service history. Councillor J Geary commented that the Council were committed to ensuring the public were safe when travelling in licensed vehicles and he was concerned with some of the comments received from drivers as he felt there was some reluctance to use garages for inspections. He was alarmed as modern cars required special diagnostics due to the electronics and if drivers were inspecting for faults themselves without the appropriate equipment the car could become very dangerous for passengers. He believed that in the future officers needed to look at ensuring drivers regularly serviced their vehicles.

Councillor J Geary also expressed concerns regarding licensing older vehicles as he felt they could not withstand a collision like newer models and he believed if they were too old they were not fit for purpose.

Councillor R Ashman was happy with the recommendations, especially the discounted licence fee for ultra low emission vehicles at proposal five, the introduction of the feedback notice at proposal nine and the decision not to pursue a livery colour at proposal seven.

Regarding the ultra low emission vehicles as referred to in proposal five, Councillor M Specht felt that it was discriminating against older vehicles. The Legal Advisor did not agree as there was a distinct move towards improving the environment and this was an incentive for drivers to use ultra low emission vehicles. Councillor M Specht made the point that there were no charging points in the district for electric or hybrid vehicles which was not an incentive.

A number of Members raised concerns with the wording of the recommendation for proposal two, in particular the phrase 'more than one' in reference to the number of defects to fail the mechanical inspection, Members believed it should read 'one or more' and was not clear in the current format. A lengthy discussion ensued between a number of Members and officers, the outcome of which was that further discussion would be had by officers outside of the meeting to ensure the wording was clear. A final draft of the wording would be circulated to the committee for consultation and then agreed by the Portfolio Holder.

Chairman's initials

In response to a question from Councillor M Specht, the Legal Advisor explained that if a driver presented an insurance cover note, he would be expected to provide the certificate of insurance as soon as possible. The Environmental Health Team Manager added that a database was used for recording insurance details which alerted officers if a certificate of insurance had not been provided and also when policies expired. Councillor M Specht raised his concerns regarding drivers that paid for their insurance policies by monthly instalments because if they did not pay during the year then the vehicles would not be insured and officers would not be aware. The Licensing Team Leader commented that the Council had good relationships with insurers and they would inform officers if this occurred. He confirmed that it was a rare occurrence but had happened in the past.

Councillor V Richichi commented that there was an insurance database available for checking that vehicles were insured and recommended that the officers gain access to make checks easier.

It was moved by Councillor M Specht, seconded by Councillor J Clarke and

RESOLVED THAT:

Subject to the re-wording of proposal two in consultation with the Portfolio Holder to ensure clarity:

- a) The draft hackney carriage vehicle policy and draft hackney carriage vehicle conditions be approved.
- b) The draft private hire vehicle policy and draft private hire vehicle conditions be approved.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.34 pm

Chairman's signature