

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING SUB-COMMITTEE C of the LICENSING COMMITTEE held at Brynsworthy Environment Centre, Barnstaple on Tuesday 15th May 2018 at 10.00 a.m.

PRESENT: Members:

Councillor Meadlarkin (Chair)

Councillors Gubb (substitute for Mathews) and Moore.

Officers:

Solicitor (DH), Licensing Officer (PF) and Corporate and Community Support Officer (AD).

Also Present:

Mark Jones (Applicant), Sharon Hunt (Applicant).

Paul Neuth, UK Director of Driving Miss Daisy (Representative for the Applicant).

(a) APPOINTMENT OF CHAIRMAN

RESOLVED, that (in the absence of the Chairman) Councillor Meadlarkin be appointed Chairman.

(b) APOLOGIES FOR ABSENCE

There were no apologies for absence received.

(c) DECLARATIONS OF INTEREST

There were no declarations of interest announced.

(d) APPLICATION FOR THE GRANT OF A PRIVATE HIRE VEHICLE LICENCE, (REFERENCE 047872)

The Chair introduced himself, Members of the Sub-Committee, and Officers present and outlined the nature of the hearing.

The Licensing Officer outlined his report (circulated previously) regarding an application for a private hire vehicle licence (reference 047872). He explained to the Sub-Committee that whilst the vehicle met all of the specifications contained in Appendix A of this Authority's Hackney Carriage and Private Hire Policy, it did not meet the

specifications regarding vehicle markings and advertising contained in Appendix M of that Policy due to the “Driving Miss Daisy” livery which had been put on to the vehicle prior to the Applicant receiving it when that vehicle had previously been licensed in another Local Authority area.

Mr Neuth (Representative for the Applicant) addressed the Sub-Committee. He explained that the “Driving Miss Daisy” company had 35 operating franchises with 70 or more vehicles. There were specific reasons for the branding of the vehicles. It helped their clients who were often vulnerable (e.g. elderly, children, people with visual impairment and people suffering with dementia) to recognise the vehicles. There was no telephony system in place to book the vehicle and a pre-engagement visit was carried out with all new customers. All other relevant training had been completed by the Applicants including advanced first aid, wheelchair handling and dealing with vulnerable people, save for the B-TEC Drivers course, which was currently unavailable but which they hoped to take shortly. They were not unwilling to display the sunshine strip on the front windscreen with the wording “Private Hire”. However, the company was not prepared to allow the Applicant’s to operate a franchise without displaying the livery.

Members of the Sub-Committee questioned the Applicant.

RESOLVED, that it being 10.25 am the meeting be adjourned to enable the Sub-Committee to inspect the vehicle.

RESOLVED, that it being 10.40 am and the conclusion of the inspection the meeting be reconvened.

The Chair asked the Applicant to sum up.

The Licensing Officer summed up.

RESOLVED, that everyone be excluded from the meeting with the exception of Members and the Legal representative in order for the Sub-Committee to receive legal advice in accordance with paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED that everyone be re-admitted to the meeting.

The Chairman requested that the Corporate and Community Services Officer read the proposed decision, which was voted upon and agreed.

RESOLVED, that the application for a private hire vehicle licence, reference 047872, be granted subject to the following conditions:

- (i) The operator’s name (namely Community Companion Service and number) must be placed on the rear door panels of the vehicle.

- (ii) The e-mail address “drivingmissdaisy.co.uk” must be displayed on the rear door panels, and on the tailgate of the vehicle.
- (iii) The Driving Miss Daisy logo must be placed on the bonnet, the front door panels, and the tailgate of the vehicle.
- (iv) A windscreen sun strip marked with the words “private hire” in the centre of the strip with lettering between 8 cm and 10 cm must be displayed on the front windscreen so as not to obscure the forward vision of the driver.

In considering the application the Sub-Committee took into account the excellent condition of the vehicle, which met North Devon Council’s vehicle specifications and vehicle age policy as contained in Appendix A of the North Devon Council’s Hackney Carriage and Private Hire Licensing Policy. It also took into account the reasons outlined by the Applicant for departing from Appendix M of the North Devon Council’s Hackney Carriage and Private Hire Licensing Policy at the hearing and the additional information regarding the rationale behind the “Driving Miss Daisy” livery set out in Appendix one of the Licensing Officer’s report. In particular, the vehicle markings were branding for the company rather than advertisements for other businesses, products or services. Furthermore, the nature of the business (dealing with vulnerable people, e.g. those with dementia) made it appropriate to clearly mark the vehicle to make it readily identifiable to the users.

Chairman

The meeting ended at 11.10 a.m.

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Licensing Committee.