

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Committee held at Barum Room - Brynsworthy on Tuesday, 19th October, 2021 at 12.30 pm

PRESENT: Members:

Councillor Tucker (Chair)

Councillors Biederman, Cann, Gubb, Henderson, Pearson, D. Spear, L. Spear and York

Officers:

Chartered Legal Executive, Public Protection Manager and Corporate and Community Services Officer

14. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bulled, Campbell, Chesters, Hunt, Orange and Yabsley.

15. DECLARATIONS OF INTERESTS

No declarations of interest were made.

16. TAXI BUSINESS REQUEST FOR ASSISTANCE/RELIEF

The Chair apologised that the invite to the press and taxi representative had not been sent and that this item would be included on a future agenda of the Licensing and Community Safety Committee to allow them to attend. Ahead of that, the item would be discussed at this meeting to allow Members to ask questions of the Public Protection Manager who would bring a report back to committee with the answers.

The Public Protection Manager read out the letter (circulated previously), and gave members responses to the points raised in the letter as follows:

- In relation to members of the public loitering waiting for a taxi the Police had no concerns and this hadn't been reported to them as an issue.

- In relation to the drop of numbers of Drivers entering the trade the statistics did show numbers had declined since 2011. The number of new Hackney Carriage and Private Hire applications made for 2011 were 33, in 2017 it was 31, in 2018 it was 32, in 2019 it was 27, in 2020 it was 21 and in the year 2021 to date 20 applications to enter the trade had been made, so there was evidence of a decrease in numbers. The reduction in numbers recently could be attributed to the Covid-19 pandemic.

- In relation to the application process, being cited as lengthy, the Council's policy required a satisfactory enhanced Disclosure and Barring Service (DBS) check. A group 2 medical examination, a Driver and Vehicle Standards Agency (DVSA) Hackney Carriage and Private Hire assessment test, an internal competency test which included numeracy and geographical knowledge questions etc. and completion of a BTEC Level 2 Certificate in The Introduction to the Role of the Professional Taxi and Private Hire Driver.
- In relation to the medical examinations the Public Protection Manager advised that this had been a problem for new applicants with the delay or refusal at GP surgeries to perform this type of medical due to concerns over Covid-19, therefore, a solution had been found whereby a private company in Exeter now largely carried out the group 2 medical examinations.
- In relation to dropping the fees this could theoretically be undertaken but that the fee was set locally and were in line with the cost to the authority to issue them and monies would have to be found from elsewhere to offset loss of income.
- Temporary licences could be issued but the Public Protection Manager highlighted a risk whereby conditions could not be attached to hackney carriage driver's licences, solely a private hire driver's licence. She explained the dual licence system currently utilised in terms of conditionality.
- In relation to help with promoting the need for taxi drivers the Public Protection Manager advised she could speak to the Communications team to discuss what could be provided on the Council's social media platforms in terms of advertising.

In conclusion the Public Protection Manager advised that there was no straightforward solution to the points raised in the letter and this had been echoed by other authorities at a Devon Licensing Officers Group meeting of late.

The Solicitor advised that any departure from the policy in place for the issuing of licences could mean the Council could be left unable to apply conditions.

In response to questions from the Committee. The Public Protection Manager gave the following responses:

- The length of the process to become a driver could be prolonged if the driver was unwilling or required funding to undertake the relevant courses/tests.
- The authority did not keep statistics on not submitting completed applications after making an initial enquiries, but that reasons for drop outs could be attributed to factors such as a driver failing one of the tests detailed above

(e.g. DVSA taxi test), or deciding that they would not pursue their application after receiving a copy of their Enhanced DBS certificate due to presence of convictions.

- There was no issue with the BTEC course being run currently, albeit that this committee had considered issues with course provision on occasions in the past, and there was an element of vulnerability with this regard due to it being hosted by external stakeholders.
- The most cost effective licence was a three year licence due to administration costs being reduced in comparison to a one year licence.
- Investigation into the financial support offered to drivers during the Covid-19 pandemic would be carried out by the Public Protection Manager. It was understood that the licensing pages on the website had linked to the Economic Development teams pages where information on help available was publicised.

RESOLVED, that the Public Protection Manager be requested to provide a report to the November 2021 meeting of the Committee which would detail:

- (a) Whether the process to obtain a licence could be streamlined without compromising on safety and suitability of drivers to passengers
- (b) If after site visits it could be ascertained whether there were problems with shortages of drivers at particular times
- (c) How the Council's fees compared with neighbouring authorities
- (d) What support the Council had offered to drivers affected by loss of income during the Covid-19 lockdowns
- (e) Whether the Council could use its communications team to promote uptake of drivers to the trade.

17. GAMBLING STATEMENT OF PRINCIPLES

The Committee considered a report by the Public Protection Manager (circulated previously) regarding the Gambling Statement of Principles.

The Public Protection Manager advised that the low number of responses had been a cause for concern but after having attended a Gambling Commission meeting of seaside authorities and speaking to delegates she was reassured that the response rate was normally low and, therefore, not unusual. The responses received had been provided at Appendix A. One comment made about the risk of compliance assessments being inconsistent and thus it was reassuring that the policy had already made provision for a new insertion around the expectations of compliance inspections. Paragraph 4.13 of the agenda report also detailed a proposed amendment to the draft Statement of Principles around premises location and this could be seen in the revised policy document at Appendix B.

RESOLVED, that the feedback from the consultation exercise be noted.

RECOMMENDED, that Strategy and Resources Committee approve the revised Gambling Statement of Licensing Principles policy at its November 2021 meeting and that it recommend the adoption of the policy to full council.

Chair

The meeting ended at 1.40 pm

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