

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Committee held in the Barum Room - Brynsworthy on Tuesday, 18th January, 2022 at 6.30 pm

PRESENT: Members:

Councillor Tucker (Chair)

Councillors Bulled, Campbell, Cann, Gubb, Hunt, Orange, D. Spear and L. Spear

Officers:

Legal Advisor (HP), Licensing Officer and Solicitor (CN)

27. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Biederman, Chesters, Henderson and Yabsley.

28. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 14 DECEMBER 2021

RESOLVED that the minutes of the meeting held on 14 December 2021 (circulated previously) be adopted with the following amendment:

Minute 25: Hackney Carriage Fare Tariff Review: 3rd bullet point to be amended to "A report would be brought to the **Licensing and Community Safety Committee** at a later date" not January 2022 as stated.

29. DECLARATIONS OF INTERESTS

The following declaration of interest was announced:

Councillor Campbell – a personal interest in item 6 – his wife worked as a chaperone for vulnerable children in taxis.

30. HACKNEY CARRIAGE AND PRIVATE HIRE POLICY - THE STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS

The Committee considered a report on the Hackney Carriage and Private Hire Policy – The Statutory Taxi and Private Hire Vehicle Standards (circulated previously) by the Public Protection Manager.

The Chair welcomed Lee Staples to the meeting who introduced himself.

Mr Staples had previously been the principal Licensing Officer at Exeter City Council. He was currently contracted to North Devon Council working on the review of the Hackney Carriage and Private Hire Policy.

The Public Protection Manager updated the Committee on the progression of streamlining the application process. As a result of a request for the process to be made simpler brought to the Committee by a local taxi firm owner as discussed at the 14 December 2021 meeting. The Public Protection Manager advised that the investigation into the possible streamlining of the application process was still ongoing and a report would be presented to Committee at a future date to be determined.

Mr Staples then presented highlights of the changes being presented to the Committee as follows:

- At its meeting of 13 October 2021 the Committee learnt of the Department for Transport's Statutory standards as well as the significant changes that were needed to bring North Devon Council's Hackney Carriage and Private Hire Policy in line with the Department for Transport's Statutory requirements
- As agreed at the meeting of 13 October 2021 a consultation was carried out seeking comments from local stakeholders and members of the public
- The feedback received could be viewed as part of the agenda pack at Appendix C
- Appendix D presented the changes being proposed and the following changes were highlighted to Committee as follows:
 - a) A review to be carried out on an existing Licence Holder if further relevant information came to light by way of a complaint or referral of information from the Police. Regarding a serious offence committed, this would remain a consideration for refusal of a licence regardless of the time elapsed since sentencing
 - b) The Disclosure and Barring update Service (DBS). Whilst it was noted that a financial constraint would be placed on the Driver as a result of this being made mandatory. The real time updates on offences committed being notified to the Council would benefit the safety of the local community. It was planned to impose this mandatory requirement in a phased approach. This mandatory subscription to the DBS update service, would apply to all new applicants from 1 April 2022 and existing licence holders on renewal
 - c) Displaying how a customer could make a complaint was to be mandatory. Stickers would be displayed in a taxi giving customers the information needed to make a complaint
 - d) The Lead Licensing Officer had carried out a review of the convictions policy and this could be found in Appendix H of the proposed policy attached to the agenda at Appendix A. The proposal being put forward was that the highest available minimum period of elapsed time since the last conviction would be imposed
 - e) From 1 March 2022 it was proposed that all existing licenced drivers would be required to undertake Child Sexual Exploitation (CSE) and

Safeguarding awareness training within a period of one year and that all new drivers from 1 March 2022 would be required to complete this training within a year of their licence being granted. Publication of this new requirement would be made in advance and the North Devon Council website would be updated to give guidance and advice to the trade

- f) The installation of CCTV in vehicles would require further investigation and a report was expected to be brought to a future Licensing and Community Safety Committee
- g) The requirement for a basic DBS check to be undertaken for hackney carriage and private hire vehicle proprietors and private hire operators annually was being proposed to begin from 1 March 2022
- h) North Devon Council would draft a list of driver requirements and post this on the website as a checklist for prospective drivers to follow

In response to a question on why a consultation was carried out on statutory standards. Mr Staples advised the Committee that a consultation was not required but that it was a standard way to inform stakeholders of proposed changes and to provide stakeholders with an indication of how the Council would be implementing those changes. Additionally, whilst the standards were statutory there were different methods of tailoring them to a Council's existing policy requirements.

In response to a question on whether drivers could sign up to the DBS update service early. Mr Staples replied that they could but warned that there was a 19-day window in which the driver had to complete the lengthy process. Ahead of Drivers, renewing their Licence a letter would be sent to them detailing the new requirement and advice would be given on completing this.

In reply to a question about the next steps required for the introduction of CCTV in taxis. The Public Protection Manager explained research had to be undertaken on this subject to understand the rules, costs of installing equipment, the positives and negatives of pursuing the introduction of CCTV.

In response to a question about whether Drivers could currently have CCTV installed in their taxi. Mr Staples confirmed that the current Policy did allow for this. There were differences in the robustness of and quality of systems but that for about £120 a sufficient system could be installed.

The Public Protection Manager acknowledged that the Council did not currently collate data on which taxi drivers currently have CCTV installed but could look at finding this information out. Dash cams would also form part of the in cab surveillance report that would be brought to a future Committee meeting.

Mr Staples concluded that this policy had had significant changes made to it which had Public Safety at the fore.

RESOLVED that the representations made in response to a consultation on the proposed amendments to the Hackney Carriage and Private Hire Policy be noted.

RECOMMENDED that the revised Hackney Carriage and Private Hire Policy be approved by the Strategy and Resources Committee.

31. LICENSING AND COMMUNITY SAFETY SUB-COMMITTEES

RESOLVED that the minutes of the Licensing and Community Safety Sub-Committee B held on 20 December 2021 (circulated previously) be approved as a correct record and signed by the Chair of that Sub-Committee.

Chair

The meeting ended at 7.15 pm

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