

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Committee held in the Barum Room - Brynsworthy on Tuesday, 7th March, 2023 at 10.00 am

PRESENT: Members:

Councillor York (Chair)

Councillors Bulled, Chesters, Hunt, Pearson, Tucker and Walker

Officers:

Solicitor and Public Protection Manager and Environmental Health and Licensing Practitioner

32. ADJOURNMENT OF MEETING

RESOLVED that at 10 am the meeting be adjourned, to allow for the arrival of Officers.

RESOLVED that at 10:16 the meeting adjournment continue for a further 15 minutes, to allow for Officers to arrive.

RESOLVED that at 10:31 with the arrival of Officers, the meeting be resumed.

33. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Biederman, Cann, Gubb, D. Spear and L. Spear.

34. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 11 OCTOBER 2022

RESOLVED that the minutes of the meeting held on 11 October 2022 (circulated previously) be approved as a correct record and signed by the Chair.

35. DECLARATIONS OF INTERESTS

There were no declarations of interest announced.

36. INTRODUCTION OF A DRAFT DRUGS TESTING POLICY FOR NEW AND EXISTING LICENSED DRIVERS

The Committee considered a report on the Introduction of a Draft Drugs Testing Policy for New and Existing Licensed Drivers, (circulated previously), by the Public Protection Manager.

The Public Protection Manager advised the Committee that due to a number of driver licence revocations recently because of drug misuse it was decided a Drug

testing Policy was required which would set out the behaviours the Council expected of its licensed drivers.

Lee Staples, Environmental Health and Licensing Practitioner highlighted the following:

- Of the 256 licensed drivers in North Devon, three licensed drivers had had their licenses revoked during 2022 following a positive drugs test undertaken by the Police.
- A drugs focussed newsletter was sent out to the licensed trade highlighting the issue in January 2023.
- A Policy, which permitted the Council to test applicants and licensed drivers for the misuse of drugs, would act as a deterrent.
- There were two options being presented to members, as shown at Appendix A and B of the report, as well as a request to run a six-week consultation with the trade, stakeholders, the public and anyone who had an interest in taxis.

The Environmental Health and Licensing Practitioner gave the following responses to questions:

- The Policy options did not include alcohol testing but was something that could be considered as part of a consultation.
- The Council would be notified by the Police when a driver had been found guilty of a driving offence but with delays in the information being passed to the Council the authority had introduced the necessity for the driver to notify of any changes to their licence. Not notifying the Council would result in disciplinary action.
- The majority of illegal drugs were still detectable up to three days or more following consumption. The Council would notify a driver to attend for testing within a 48-hour period.
- New applicants and existing licence holders found to be guilty of an offence would pay for the cost of a drugs test, whereas, the cost of a random request to attend a drugs test would fall to the Council.
- The additional cost of drugs testing would equate to roughly £11 per license.
- The costings to add in the testing of alcohol would need to be reported at a future Licensing and Community Safety Committee.

RESOLVED that

- (a) Option 2, shown at Appendix B of the report, be approved for consultation subject to the following amendments:
 - (I) Random alcohol testing to be carried out; and
 - (II) Licensed drivers to be tested within 24 hours of being requested to attend a random drugs or alcohol test by the Licensing Officer.
- (b) The Licensing Service begin a formal consultation on Option 2, as shown at Appendix B of the report,

- (c) A six-week consultation exercise be carried out with the 'taxi and private hire trade', general public and anybody or person with an interest in taxis and private hire drivers/vehicles; and
- (d) Proposed amendments to the policy resulting from the consultation and review process be presented to the Licensing and Community Safety Committee.

37. HACKNEY CARRIAGE AND PRIVATE HIRE POLICY AMENDMENTS

The Committee considered a report by the Public Protection Manager (circulated previously) regarding Hackney Carriage and Private Hire Policy Amendments.

The Public Protection Manager highlighted the following:

- The proposals which had been put forward from the Licensing Team included amendments to the following areas of the policy:
 - Wheelchair accessible vehicle approval – vehicle conversion certification requirements;
 - Executive Hire Exemptions – Exemption conditions;
 - Vehicle Inspection form – additional information added to the inspection form;
 - Update to Appendix J of the policy (Offences – Hackney Carriages and Private Hire Vehicles and Drivers), to reflect new offences;
 - Removal of the requirement for licenced vehicles to carry a fire extinguisher; and
 - Additional medical requirement information.

The Committee discussed the requirements of door signage on Private Hire vehicles and concluded that sun strips could be used to advertise the vehicle was only available through advance booking where the driver felt a door sign might damage the vehicles paint

RECOMMENDED that Strategy and Resources Committee approve the amendment to the Council's Hackney Carriage and Private Hire Licensing Policy (November 2022) as detailed at Appendix A of the report, to support Officers refusing taxi and private hire driver licence applications where applicants clearly fail to comply with the convictions policy in Appendix H and where that policy indicates that a licence should not be granted.

38. SAFER BARNSTAPLE ACCREDITATION ASSESSMENT - SCHEME INFORMATION FOR VENUES

The Committee received an update on the Safer Streets, Barnstaple Funding.

The Environmental Health and Licensing Practitioner highlighted the following:

- An Accreditation scheme would be introduced for any licensed premises who carried out public facing activities.

- There would be three tiers that could be awarded under the scheme, bronze, silver and gold.
- Premises would be required to hit a minimum of 50% of the scheme's criteria to be awarded a bronze level.
- Feedback would be given to premises who had attained a bronze level with a view to encouraging them to gain a higher level.
- After visiting many businesses around the town it became clear many of them were keen for a 'Pub Watch' type scheme to be re-introduced.
- The funding had to be spent by September 2023 after which a feedback report would be brought to Committee.
- At present this would be rolled out in Barnstaple but could be extended to other towns if funding became available.

The Committee noted the verbal update given.

39. LICENSING AND COMMUNITY SAFETY SUB-COMMITTEE

The Committee considered the Licensing and Community Safety Sub-Committee minutes (circulated previously) of the Licensing and Community Safety Sub-Committee D meeting held on 27 January 2023.

RESOLVED that due to none of the Sub-Committee D members being present the minutes could not be approved and signed by the Chair of that Sub-Committee.

The Chair and Committee Members gave thanks to the Licensing Team for all their detailed work.

Chair

The meeting ended at 12.04 pm

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