

Licensing Committee

Minutes - 12 July 2017

Attendance

Members of the Licensing Committee

Cllr Alan Bolshaw (Chair)
Cllr Greg Brackenridge
Cllr Ian Claymore
Cllr Patricia Patten
Cllr Rita Potter (Vice-Chair)
Cllr Keith Inston
Cllr John Rowley
Cllr Daniel Warren
Cllr Anwen Muston
Cllr Judith Rowley

Employees

Mike Hooper	Democratic Services Officer
Sarah Hardwick	Solicitor
Linda Downing	Professional Lead - Sustainable Travel
Chris Howell	Licensing Manager
Yahya Uddin	Democratic Services Apprentice

Part 1 – items open to the press and public

Item No. *Title*

1 **Apologies for Absence**

Apologies were received from Cllrs Haynes and Russell.

2 **Declarations of Interest**

There were no declarations of interest.

3 **Minutes of Previous Meeting**

Resolved: That the minutes of the meeting of the Licensing Committee held on 6 June 2017 be confirmed as a true record and signed by the Chair subject to the following amendment: Cllr Warren submitted his apologies and was not in attendance.

4 Matters Arising

In considering the Health and Safety Statutory Plan 2017-18, the Committee had resolved that the Licensing Manager submit a report to a future meeting of the Committee detailing the legal position regarding child seats in licensed vehicles and the potential for the Licensing Authority to encourage and incentivise their use. The Chair advised that it was intended that the report be considered at the next meeting of the Committee.

5 Licensing Sub-Committee - 20 April 2017 - Minutes

Resolved: That the minutes of the meeting of the Licensing Sub-Committee held on 20 April 2017 be confirmed as a true record and signed by the Chair.

6 Licensing Sub-Committee - 26 April 2017 - Minutes

Resolved: That the minutes of the meeting of the Licensing Sub-Committee held on 26 April 2017 be confirmed as a true record and signed by the Chair.

7 Licensing Sub-Committee - 16 May 2017 - Minutes

Resolved: That the minutes of the meeting of the Licensing Sub-Committee held on 16 May 2017 be confirmed as a true record and signed by the Chair.

8 Licensing Sub-Committee - 22 May 2017 - Minutes

Resolved: That the minutes of the meeting of the Licensing Sub-Committee held on 22 May 2017 be confirmed as a true record and signed by the Chair.

9 Licensing Sub-Committee - 27 June 2017 - Minutes

Resolved: That the minutes of the meeting of the Licensing Sub-Committee held on 27 June 2017 be confirmed as a true record and signed by the Chair.

10 Office of Low Emission Vehicles (OLEV) - Low Emission Taxi Scheme

Linda Downing, Professional Lead – Sustainable Travel, gave a presentation regarding the award to the Council of grant money from the Office of Low Emission Vehicles Taxi Scheme, a copy of which is filed with these minutes.

Linda Downing and Chris Howell, Licensing Manager, provided the following responses to issues raised by the Committee:

- The proposed city centre locations of charging points had been based upon the volume of traffic in those areas.
- It was anticipated that, as electric vehicles gained in popularity, most people would charge them at home.
- Both taxis and the public would be able to use the charging points. Taxis would have an app that would enable them to pre-book a point.

- Fast charge stations allowed vehicles to be charged up to 80% capacity in around 30 mins.
- Currently, there was one socket per fast charger but a charger with two was being developed. The potential for charging hubs was being investigated and it seemed that the National Grid would have capacity.
- The Hackney Carriage and private hire trades had shown both interest and concern regarding electric vehicles, with concerns largely centring around the cost of vehicles and payback within its permitted 12 year lifespan.
- Electric vehicles had been increasing in popularity over the last three years, with around 110,000 new vehicles already registered in 2017.
- Charging point payment methods could not yet be confirmed as they would be dependent upon the supplier but contactless payment was likely and possibility of incorporating Swift payments would be investigated.
- Zap-Map detailed the locations of charging points throughout the UK.
- The Queen's Speech had encouraged garages to install electric vehicle charging points. Queues for charging points were not anticipated.

Resolved: That the presentation and issues raised be noted.

11 **Amendment to Current Guidelines Relating to Relevance of Convictions and Breaches of Licence Conditions Relating to Hackney Carriage and Private Hire Vehicle Proprietors and Drivers and Private Hire Vehicle Operators**

Chris Howell, Licensing Manager, presented a report regarding the increasing occurrences of refusal by drivers to carry assistance dogs and proposing, in the interest of public safety, to amend the Guidelines for Hackney Carriage and Private Hire Vehicle proprietors, Drivers and Private Hire Vehicle Operators to include an additional condition to enable the revocation of the licences of drivers committing that offence.

It was reported that the matter had been considered by the Private Hire Trade Working Group on 30 June 2017, following preparation of the Committee report, and that the Group had unanimously supported the proposed additional guideline.

A member of the Committee suggested that there would be value in considering the means to ensure that dogs are restrained and safe in transit.

Resolved:

1. That the Guidelines for Hackney Carriage and Private Hire Vehicle proprietors, Drivers and Private Hire Vehicle Operators be amended to read as follows, with the inclusion of additional wording regarding the carriage of assistance dogs:

'The licence holder must carry guide or other assistance dogs accompanying passengers, free of charge, unless the driver has a proven medical condition that would preclude such action. Private Hire Vehicle Drivers have a responsibility to ensure that their operator is aware of such medical condition when they are first employed. Breach of this condition is deemed serious and therefore shall normally result in revocation. A new licence will not normally be granted for 12 months following the date of conviction, caution or in the

absence of these the date of offence or relevant incident or the outcome of any review hearing in relation to the incident, whichever is the later. The power to suspend or revoke immediately as set out in 2.2.2 may also be used in these circumstances if it is in the interests of public safety.';

2. That the means to ensure that dogs are restrained and safe in transit be incorporated into the report detailing the legal position regarding child seats in licensed vehicles (see min 4, above).

12 **Feedback from the Private Hire Drivers Association Focus Group**

Chris Howell, Licensing Manager, presented a report and gave a presentation following the conclusion of the Private Hire Drivers Association Focus Group. A copy of which is filed with these minutes.

The Committee were asked to agree the recommendations agreed by the Focus Group and to determine the way forward for matters for which the Focus Group were unable to agree a consensus on.

Resolved:

That the following recommendations of the Private Hire Drivers Association Focus Group be agreed:

1. That a test of the ability of an applicant to speak in conversational English, with a pass or fail judgement, be built into the application process at the pre-assessment stage. If officers are concerned that an applicant is not capable of communicating to a suitable level then a recorded conversation will be undertaken to prove that due diligence has been applied, should the decision be challenged;
2. That an intended use policy limiting drivers that receive a badge from the City of Wolverhampton Council to only work in Wolverhampton not be pursued;
3. That new applicants with more than 6 penalty points on their driving licence be required to undertake a road-risk based test incorporating a classroom session and driving routes in rural and town areas as well as motorway driving. The policy will not apply retrospectively to current licence holders who have more than 6 points;
4. That child sexual exploitation training be made mandatory for all private hire licence holders and that all current drivers, who have not yet undertaken the training, undertake the training within one year of the date of the decision of the Licensing Committee. Should a driver fail to do so their badge will not be renewed;
5. That the Licensing Authority hold 2 training sessions per month for a 12 month period with a focus on the personal safety of drivers;

6. That a “3 strikes and out” policy be introduced to testing. Further applications would not be accepted for a 12 month period from the date of the third failed test;

That the following recommendations of the Private Hire Drivers Association Focus Group be noted but not agreed:

7. that a test of local knowledge be built in to the assessment process through the inclusion of screenshots showing the geography, key landmarks and amenities of Wolverhampton;
8. That the number of test questions be increased to 50 with a pass mark of 40 (80%);
9. That all existing drivers be subject to the Assessment

That the following resolutions of the Private Hire Drivers Association Focus Group be noted and supported:

10. The following measures would be undertaken to alleviate problems at the railway station:
 - Wolverhampton Private Hire Drivers Association to work with Council Officers to help to resolve problems;
11. The following existing and proposed means for the Licensing Authority to communicate with drivers:
 - Increased direct communication via email and SMS
 - Newsletter (Electronic)
 - Training Sessions for online applications
 - One stop website for drivers
12. That the following means for the Licensing Authority to encourage a positive public perception of the private hire trade be noted and endorsed:
 - Good news stories through the Council’s Communications Team
 - Signage in vehicles
 - Explore the use of CCTV in Vehicles
 - Work with Wolverhampton Private Hire Drivers Association on Preventing Crime and Safeguarding our Communities