

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING COMMITTEE

THURSDAY, 20TH JUNE, 2019

A MEETING of the LICENSING COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on THURSDAY, 20TH JUNE, 2019, at 10.00 am.

PRESENT:

Chair - Councillor Ken Keegan
Vice-Chair - Councillor Iris Beech

Councillors Duncan Anderson, Steve Cox, John Gilliver, Charlie Hogarth, Nikki McDonald, David Nevett, Ian Pearson and Frank Tyas

APOLOGIES:

Apologies for absence were received from Councillors Bev Chapman, Neil Gethin, Martin Greenhalgh and Dave Shaw.

1 **Declarations of Interest, if any.**

There were no declarations made at the meeting.

2 **Minutes of the Licensing Committee Meeting held on 17th October, 2018**

RESOLVED that the minutes of the meeting held on 17th October, 2018 be approved as a correct record and signed by the Chair.

3 **Terms of Reference, Procedures and Delegations.**

The Licensing Committee were presented with a report that provided information on the Terms of Reference of the Committee, and its procedure and delegations in terms of dealing with Licensing and Gambling applications and appeals.

Members noted that the Terms of Reference of the Committee had been agreed by Full Council at the Annual Meeting in May, and remained unchanged from the previous year and were presented to the Licensing Committee for their information. A copy of the Terms of Reference had been attached as Appendix A to the report. The Terms of Reference allowed Doncaster Council as the Licensing Authority to discharge its duties and clear procedures and delegations were required to enable this.

RESOLVED that:

1) The Licensing Committee Note:-

a) The Terms of Reference attached in Appendix A to the report; and

b) The Terms of Reference for the Sub Committee as detailed in Appendix A;

2) The Licensing Committee Agree:-

a) The procedures set out in Appendices B1 and B2 continue to be in the procedures for Licensing Committee and Sub-Committee Hearing held under the Licensing Act 2003 and the Gambling Act 2005 respectively;

b) The delegation of functions set out in Appendix C1 and C2 to the report;

c) The appointment of Members to the Licensing Sub-Committee as set out in Appendix D; and

d) The Procedure for dealing with settling appeals after the Sub-Committee hearing but before the appeal hearing in the Magistrates Court is decided as set out in Appendix E.

4 Licensing Act 2003, Gambling Act 2005 and General Licensing Update.

Members received a report that provided an update with regard to the activities of the Licensing Committee and Licensing Sub Committees throughout the last Municipal Year. It was noted that there had been 2 Committees and 13 Sub Committees whereby a panel had met to determine applications or notices under the Licensing Act 2003. A summary was provided as an appendix to the report in relation to other statistical information relating to all other licensing applications and any enforcement actions.

The Committee were informed that one of the big issues they may be looking at in the coming year would be the Hackney Carriage and Private Hire Licensing Policy. At the current time, this policy remained the same but it was reported that consultation had recently been undertaken by the Department for Transport with regard to amending the Statutory Guidance on the Taxi and Private Hire Licensing Policy. Any proposed changes would be brought to the Committee for discussion in order to establish what would be included with the Council's Policy moving forwards.

Members were invited to comment on the report and put forward any queries with regard to the information provided.

Concerns were voiced with regard to the Taxi Policy, as Members felt that currently, they did not have enough control over decisions made in relation to this, nor were they provided with enough information. This was felt to be of particular concern in relation to the thousands of historic cases of Child Sexual Exploitation in Rotherham revealed in recent years. However, Members were reminded that the Licensing Committee actually had delegated powers to be able to amend the policy, in which case, when it came before them in the future, they could make any amendments they saw fit. Additionally, draft statutory guidance that had been produced by the Department of Transport had suggested that in future, all taxi panels may be brought back to the Committee for determination.

A number of other concerns were voiced in relation to taxi licensing, including the issue of out of town licensed drivers working in Doncaster and the policing of that, the lack of cars suitable for those with assistance dogs or disabilities, the possibilities of using audio / CCTV recording in cars and the problems that could relate to this, and also, the possibility of capping the age limit of a vehicle licensed. In relation to these concerns, officers responded to the Members and were assured that all licensed hackney carriages in Doncaster were wheelchair accessible vehicles. Additionally, regarding a Members concern regarding out of town licensed drivers working for Doncaster Private Hire Operators in Doncaster, the Committee were reassured that this figure was currently zero. Finally, in relation the question regarding capping

the age of a licensed vehicle, Members were informed that this was not something currently being considered.

Members had a lot of discussion on the issues, as there was a consensus that the Licensing Committee were not kept abreast of all the changes regarding taxi licensing. However, the Licensing Officer assured Members that once the statutory guidance had been published, it would be brought to the Committee for consideration, whereby they, as a collective would be able to look at what recommendations they wanted to accept and adopt as part of Doncaster's policy.

RESOLVED that the Licensing Committee note the report and the issues raised within it.