

REGULATORY AND GENERAL PURPOSES COMMITTEE

Thursday, 14 November 2024

Present: Councillor A Hodson (Chair)

Councillors P Basnett K Murphy
B Hall A Brame
M Booth M Sullivan (Deputy)
C McDonald R Pitt (Deputy)
G Jenkinson

Apologies Councillors J Stewart Laing E Tomeny
G Davies

20 WELCOME AND INTRODUCTION

The Chair welcomed everyone to the meeting and read out the webcast information. However, the webcast was not working, and due to this, the meeting was recorded to be available online at a later date.

21 APOLOGIES

The Chair confirmed that apologies had been received from Councillor Stephen Bennett with Councillor Mike Sullivan deputising, Councillor Louise Luxon-Kewley with Councillor Richie Pitt deputising, Councillor James Stewart-Laing, Councillor Graham Davies and Councillor Ewan Tomeny.

22 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

No such declarations were made.

23 MINUTES

The accuracy of the minutes of the meeting held on 5th September 2024 were approved.

24 **PUBLIC AND MEMBER QUESTIONS**

No public or member questions were received.

25 **MINOR REVISIONS TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE CONDITIONS**

The Director of Law and Corporate Services submitted a report seeking the approval of the committee of the following revised documents: Hackney Carriage Vehicle Licence Conditions, Private Hire Vehicle Licence Conditions, Private Hire Vehicle Licence Conditions – Contract Work. The report required authorisation for the Licensing Manager to amend relevant licensing documents in accordance with the revised Hackney Carriage and Private Hire Vehicle Conditions.

Revised Hackney Carriage and Private Hire Vehicle Criteria were approved by Members of this Committee on 13 June 2024. It was also resolved at that meeting that the Licensing Manager be given delegated authority to amend the Hackney Carriage and Private Hire Vehicle conditions in line with the amendments to the criteria.

It was reported to the Committee that in undertaking a review of the vehicle conditions it had been identified that minor amendments were also required to the wording of the conditions to ensure clarity of meaning and to have consistency across each of the set of conditions. It was further reported that these amendments were limited and did not amend the core compliance requirements set out in the documents. The Committee was therefore asked to approve the revised Hackney Carriage Vehicle conditions attached at Appendix 1 to the report, the revised Private Hire Vehicle conditions attached at Appendix 2 to the report and the revised Private Hire Vehicle conditions - Contract Work attached at Appendix 3 to the report. The committee were informed that should the revised conditions be approved they would be circulated to all licence holders and will have effect 28 days from when the Licence Holder receives them.

The Committee were advised that should they approve the revised documents attached at Appendix 1 to Appendix 3 to the report it would be necessary to update associated documentation, in particular the Vehicle Inspection Policy, which is used by officers to undertake appropriate action should it be identified that there is a breach of any of the conditions. The implementation of this policy is also to achieve consistency in the action taken by officers. The Committee were therefore also asked to authorise the Licensing Manager to amend this document and any other relevant licensing documentation as required.

Resolved –

1. That the revised documents relating to; Hackney Carriage Vehicle Licence Conditions attached at Appendix 1 to the report, Private Hire Vehicle Licence Conditions attached at Appendix 2 to the report and the Private Hire Vehicle Licence Conditions – Contract Work, attached at Appendix 3 to the report be approved.
2. That the Licensing Manager be granted delegate authority to amend the relevant licensing documents in accordance with the revised Hackney Carriage and Private Hire Vehicle Conditions

26 **DISCLOSURE AND BARRING SERVICE (DBS) UPDATE SERVICE FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS**

The Director of Law and Corporate Services submitted a report seeking the approval of the Committee that with effect from 1 January 2025 all individuals who apply for the grant or renewal of a Hackney Carriage or Private Hire Driver Licence be required to register with the Disclosure and Barring Service (DBS) Update Service and maintain continuous registration throughout the duration of their licence.

The report also sought approval that in circumstances where a licence holder is unable to demonstrate continuous registration to the DBS Update Service their licence be suspended with immediate effect subject to the production of a satisfactory Enhanced DBS Certificate. In respect of this proposal the Licensing Manager requested that the Committee consider the following amendment to the second recommendation:

In circumstances where a licence holder is unable to demonstrate continuous registration to the DBS Update Service their licence be suspended with immediate effect subject to the production of a satisfactory Enhanced DBS Certificate **or the Licensing Authority being satisfied that the suspension should be lifted.**

The Committee were also asked to grant delegated authority to the Licensing Manager to amend the Statement of Hackney Carriage and Private Hire Licensing Policy in accordance with the above recommendations.

In response to questions regarding the timing and impact on licence holders of implementing the recommendations should they be approved the Licensing Manager advised the Committee that should they approve the recommendations, licence holders whose licences expire in January 2025 would not be affected. The effect of the changes would apply to applications made from 1 January 2025 and that this would allow officers to provide advance notice to licence holders of the requirement to register with the DBS Update Service in good time before their licence would be due to expire.

The Chair confirmed the recommendations as amended.

Resolved -

- 1) That with effect from 1 January 2025, all individuals who apply for the grant or renewal of a Hackney Carriage or Private Hire Driver Licence are required to register with the Disclosure and Barring Service (DBS) Update Service and to maintain continuous registration throughout the duration of their licence.**

- 2) That in circumstances where a licence holder is unable to demonstrate continuous registration to the DBS Update Service their licence be suspended with immediate effect subject to the production of a satisfactory Enhanced DBS Certificate or the Licensing Authority being satisfied that the suspension should be lifted.**

- 3) That the Licensing Manager is authorised to amend the Statement of Hackney Carriage and Private Hire Licensing Policy in accordance with the above recommendations.**

26.1 Statements and Petitions

There were no statements or petitions received.