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The Chair and Members of Appeals
and Regulatory Committee - Group 2

Councillors A Murphy, Perkins,
P Innes, Marriott, S Niblock,
Redihough

8 December 2020

Dear Councillor,

Please attend a meeting of the APPEALS AND REGULATORY COMMITTEE - GROUP 2 to be held on WEDNESDAY, 16 DECEMBER 2020 at 10.00 am, the agenda for which is set out below.

This meeting will be held virtually via Microsoft Teams software, for which members of the Committee and others in attendance will receive an invitation. Members of the public will be able to access Part 1 (Public Information) of the meeting online by following the link [here](#).

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 8)

Minutes of the Meetings of the Appeals and Regulatory Committee held on 4 November and 25 November, 2020.

4. Local Government Act 1972 - Exclusion of Public

To move "That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act".

Part 2 (Non Public Information)

5. Application for Private Hire Driver's Licence - Wayne Johnson (A410)
(Pages 9 - 42)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

APPEALS AND REGULATORY COMMITTEE

Wednesday, 4th November, 2020

Present:-

Councillor A Murphy (Chair)

Councillors Perkins
P Innes

Councillors

Marriott
S Niblock

*Matters dealt with under the Delegation Scheme

1 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Redihough.

3 **MINUTES**

RESOLVED –

That the minutes of the meeting of the Appeals and Regulatory Committee held on 26 February, 2020 be approved as a correct record and signed by the Chair.

4 **LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC**

RESOLVED –

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

**5 APPLICATION FOR A HACKNEY CARRIAGE / PRIVATE HIRE
VEHICLE DRIVER'S LICENCE - PHILIP GILBERT (A410)**

The Licensing Manager submitted a report for Members to consider whether an application for a Hackney Carriage / Private Hire Driver's Licence by Mr Philip Gilbert could proceed.

Mr Gilbert attended the meeting.

*** RESOLVED –**

That Mr Gilbert's application for a Hackney Carriage / Private Hire Driver's Licence be allowed to proceed.

APPEALS AND REGULATORY COMMITTEE

Wednesday, 25th November, 2020

Present:-

Councillor A Murphy (Chair)

<p>Councillors Perkins Bellamy Bingham G Falconer Flood</p>	<p>Councillors P Innes Miles S Niblock Perry Rayner</p>
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*Matters dealt with under the Delegation Scheme

6 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA

Councillor S Niblock declared an interest in Minute No. 11, as an applicant to hold a street collection, and she took no part in the consideration of that item.

7 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Marriott, Redihough and Rogers.

8 TAXI CONSULTATIVE COMMITTEE ANNUAL REPORT 2019-20

Councillor Caulfield, Chair of the Taxi Consultative Committee, presented the Committee's annual report for 2019/20.

The report provided details of the Committee's membership and meetings held during 2019/20 and outlined the issues which had been considered during the year.

It was noted that the trade representatives had perceived less need for meetings of the Committee, partly due to good communications with the Licensing section, and that the Committee had therefore agreed to suspend its scheduled meetings in October, 2020 and January, 2021, to

then review whether there continued to be a role for the Committee and, if necessary, to recommend to Council that it be dissolved. Members expressed their thanks to the Chair and members of the Consultative Committee and officers for succeeding in establishing good communications, such that there may not continue to be a role for the Committee.

*** RESOLVED**

- (1) That the Taxi Consultative Committee annual report for 2018/19 be noted.
- (2) That the decision of the Taxi Consultative Committee to suspend its meetings scheduled for October, 2020 and January, 2021 be endorsed.
- (3) That the conclusions of the review of whether there continued to be a role for the Taxi Consultative Committee be reported to the Appeals and Regulatory Committee in order to enable, if necessary, a recommendation to dissolve the Taxi Consultative Committee to be made to full Council in April, 2021.

9 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - POLICY AMENDMENTS (A410)

The Licensing Manager presented a report for Members to consider proposed amendments to the Hackney Carriage and Private Hire Licensing Policy.

The report explained the reasons for the proposed amendments to the policy, arising from the recent government publication 'Statutory Taxi and Private Hire Vehicle Standards', or being required in the course of normal policy revision or being in response to a request for an exemption on signage.

The report outlined the Council's position in respect of the issues covered within the government standards document, including the use of the disclosure and barring service, self-reporting by licence holders, completion of safeguarding training, consideration of convictions, joint authorisation of enforcement officers, consultation on CCTV in vehicles and private hire operators using passenger carrying vehicles (PCV). The

full list of the standards document recommendations and the Council's response was attached at Appendix A to the officer's report.

Other proposed amendments to the policy covered the reclassification of failing to stop after an accident as a major motoring offence, limiting consideration of major road traffic offences to within the last ten years and signage regarding the wearing of face coverings in licensed vehicles (as shown at Appendix B to the officer's report).

It was noted that in most aspects the Council's current Hackney Carriage and Private Hire Licensing Policy met or exceeded the standards recommended in the government standards document in protecting the safety of the public and of licensed drivers.

*** RESOLVED –**

(1) That the request for an exemption for a face coverings sign be approved with immediate effect.

(2) That the other amendments to the Hackney Carriage and Private Hire Licensing Policy be approved for a suitable period of consultation.

10 REVIEW OF LICENCE AND REGISTRATION FEES 2021/22 (A000)

The Licensing Manager presented a report seeking approval of revised licence and registration fees in respect of private hire and hackney carriage licensing and scrap metal collectors and sites licensing for 2021/22.

A 3% increase was suggested for all fees and charges in line with Council policy in order to maintain the current cost neutral position. The fees and charges had not been increased since April, 2019. A summary of the current and the proposed fees and charges was included at Appendix A to the report. A comparison of fees charged by other Derbyshire authorities was included at Appendix B to the report.

It was noted that the private hire and hackney carriage proposed fees and charges would be subject to consultation.

*** RESOLVED –**

That the proposed 3% increase in fees and charges in respect of private hire and hackney carriage licensing and scrap metal collectors and sites licensing for 2021/22 as detailed in the report be approved with effect from 1 April, 2021, subject to the outcome of consultation.

11 PROGRAMME OF STREET COLLECTIONS 2021 (A250)

The Licensing Officer presented a report to determine the programme of street collections for 2021, including a provisional programme of collections, a brief summary of the nature of each charity and details of collections held in previous years.

It was noted with sadness that only one application had been received to date for 2021.

*** RESOLVED –**

That the programme of street collections for 2021 be determined as follows:

20 November

Edale Mountain Rescue

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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