

## **Licensing Committee – Meeting held on Thursday, 18th October, 2018.**

**Present:-** Councillors Davis (Chair), S Parmar (Vice-Chair), M Holledge, Mann, D Parmar, Qaseem, Shah, Strutton and Wright.

**Apologies for Absence:-** Councillors B Bains and Usmani.

### **PART 1**

#### **16. Declarations of Interest**

None were received.

#### **17. Guidance on Predetermination/ Predisposition - To Note**

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

#### **18. Minutes of the Meetings held on 12th June 2018 and 10th September 2018**

**Resolved** – That the minutes of the meetings held on 12<sup>th</sup> June 2018 and 10<sup>th</sup> September 2018 be approved as a correct record.

#### **19. Gambling Act 2005 - Review of Statement of Principles and Local Area Profile.**

The Senior Licensing Officer informed the Committee of the outcome of the public consultation on the Council's Gambling Act 2005 Statement of Principles Policy (as amended 2018) and outlined details of the development of a 'Local Area Profile'. Members were reminded that the Council was required to put in place a policy, known as the Statement of Principles and that there was a statutory duty to review the policy every three years. The current Statement of Principles was due to lapse on 31<sup>st</sup> January 2019. A consultation was conducted on the draft Statement of Principles between 3<sup>rd</sup> August 2018 and 14<sup>th</sup> September and only two formal responses were received; which had been incorporated into the draft document.

It was brought to Members' attention that the published Gambling Commission Guidance to Local Authorities highlighted that licensing authorities should also consider developing local area profiles, identifying, quantifying and mapping the vulnerabilities and other relevant features of their areas. Such profiles would be used to inform new gambling policies, against which all applications would be judged.

The Local Area Profile had been developed, details of which were outlined. It was noted that there was no statutory requirement for any consultation on or formal approval by the Licensing Committee of the 'Local Area Profile', as they were optional for the Licensing Authority to develop in order to be used by and assist gambling operators when developing their own Local Risk Assessments.

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Committee Members endorsed details of the Statement of Principles and noted that a Local Area Profile had been developed.

### **Recommended to Council –**

- a) That the Gambling Act 2005 Statement of Principles policy (as amended 2018) is adopted as the Council's Gambling Policy.
- b) To note that a Local Area Profile in assisting Operators in preparing Local Risk Assessments had been developed.

## **20. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018**

The Licensing Manager informed the Committee of changes to animal licensing introduced through the new Animal Welfare Regulations 2018. The Council was responsible for the licensing and regulation of a variety of animal related businesses, as well as the keeping of specified dangerous animals by individuals and this was achieved through six different types of licence issued by the Council. The most significant change was that all types of licences currently issued would be encompassed by one new 'Animal Activity Licence'. The new provisions contained nationally set conditions and regulations for each animal based activity which could not be changed and formed the basis for conditions on the new licences going forward.

Details of the inspection process, score rating and fees were outlined. In response to a Member question, it was noted that the fees had been agreed at a Cabinet meeting on 15<sup>th</sup> October 2018 and that they were split into two parts – the application fee (consideration and determination of the application) and the licence fee (enforcement and compliance requirements).

**Resolved** – That details of the report are noted.

## **21. Mandatory Passenger Assistant Training Scheme (PATs) for all Hackney Carriage and Private Hire Drivers**

The Committee were advised of the Government's 'Inclusive Transport Strategy' which recommended making Disability Training Awareness (Passenger Assistant Training) a mandatory requirement for all new and existing Hackney Carriage and Private Hire Drivers; to make travel easier for people with disabilities. A number of specific recommendations were suggested by the Department of Transport regarding accessibility to taxi and private hire services:

- Publishing lists of taxis and PHVs designated as being "wheelchair accessible" for the purposes of Section 167 of the Equality Act 2010;
- Prosecuting drivers for discriminating against assistance dog owners and wheelchair users, where sufficient evidence exists to do so, and applying appropriate licensing sanctions;

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- Reviewing the demand for wheelchair accessible taxis and PHVs in your area, and taking steps to ensure that the composition of fleets reflects this need; and
- Requiring all taxi and PHV drivers to complete disability awareness training.

The Licensing Manager informed Members that the Council was already compliant with the first two bullet points. There were currently 107 licensed Hackney Carriages of which 57 were wheelchair accessible vehicles. However, for Private Hire Vehicles the current fleet consisted of 596 vehicles and only 10, i.e. 1.67 % were wheelchair accessible vehicles. It was therefore necessary to seek further guidance from the Department for Transport on how they expected local authorities to increase the number of Private Hire wheelchair accessible vehicles without putting an increased financial or disproportionate burden on the Private Hire Trade.

In the ensuing discussion, clarification was sought regarding the training. It was confirmed that there was no expiry date on the training once completed and no refresher course was required. It was anticipated that the cost for the course would be between £60 – £110 and that the cost would be paid for by the drivers.

### **Resolved –**

- (a) To note the report and the letter from the Department for Transport regarding the Government's 'Inclusive Transport Strategy'.
- (b) Approve that the 'Passenger Assistant Training Scheme' is a mandatory requirement for all new applicants for any a Hackney Carriage or Private Hire driver licence, and must be undertaken before a licence is granted.
- (c) Approve that the 'Passenger Assistant Training Scheme' ("PATS") is a mandatory requirement for all existing Hackney Carriage and Private Hire drivers and that the training must be undertaken within one year of 1<sup>st</sup> January 2019.
- (d) That all current Hackney Carriage and Private Hire Drivers, including 'Combined' licensed drivers that have previously undertaken PATS training will be exempt from the new requirement.
- (e) To approve that where any current holder of a Hackney Carriage or Private Hire Driver licence has failed to attend the mandatory PATS training (other than those that are exempt) by 31st December 2019, their licence will be suspended until such time as they attend the training and produce a valid Certificate as confirmation of their attendance.

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**22. Members Attendance Record 2018/19**

**Resolved** – That details of the Members Attendance Record 2018/19 be noted.

**23. Date of Next Meeting - 14th February 2019**

The date of the next meeting was confirmed as 14<sup>th</sup> February 2019.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.04 pm)