

Minutes of the Meeting of the Licensing Committee held on 4 October 2017 at 7.00 pm

- Present:** Councillors Ben Maney (Chair), Roy Jones (Vice-Chair), Colin Churchman, Gary Collins, Graham Hamilton, Steve Liddiard, Joycelyn Redsell, Barbara Rice and Graham Snell
- Apologies:** Councillors Chris Baker, Martin Kerin, Angela Sheridan, Michael Stone, Pauline Tolson and Aaron Watkins
- In attendance:** Paul Adams, Principal Licensing Officer
Chima Obichukwu, Litigation Solicitor
Kenna-Victoria Martin, Senior Democratic Services Officer
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Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

12. Minutes

The minutes of the Licensing Committee meeting held on 18 October 2016 were approved as a correct record.

13. Items of Urgent Business

There were no items of urgent Business.

14. Declaration of Interests

There were no interests declared.

15. List of Accessible Hackney Carriage and Private Hire Vehicles

The Principal Licensing Officer presented the report to Members explaining the Equality Act 2010 (Commencement No.12) Order 2017 brought into effect from the 6 April 2017 Sections 165 (passengers in wheelchairs) and 167 (lists of wheelchair accessible vehicles) of the Equality Act 2010, gave local authorities the ability to publish Hackney Carriage and Private Hire Vehicles who had wheelchair accessibility.

Licensing Members heard that Section 165 of the Act imposed certain duties upon drivers of vehicles designated pursuant to section 167 of the Act when dealing with disabled persons in wheelchairs or a person who wished to be accompanied by a disabled person in a wheelchair.

It was further explained that publishing the list of wheelchair accessible vehicles was discretion and the report was therefore seeking agreement from the Committee to publish such vehicles operating in Thurrock. Members were advised, should a driver whose vehicle was published refuse to carry a passenger it would be an offence.

Councillor Churchman asked if there were any exceptions for drivers of Hackney Carriage and Private Hire Vehicles who refused to carry wheelchair passengers. The principal Licensing Officer commented that any new Hackney Carriage vehicle to a fleet had to be wheelchair accessible. He continued to advise Hackney Carriage vehicles could carry up to 8 people and with the tariff set by the Council should they carry more people they could earn more money.

Members heard there were exemptions which licensing authorities could issue on drivers if deemed necessary to do so, such as medical grounds.

The Chair of the Committee mentioned that recommendation 1.2 sought delegation to officers for issuing any exemptions. He enquired if there was an appeal process should drivers wish to appeal a decision. Officers confirmed should it be needed drivers would have the right to appeal a decision through the Magistrates Court.

RESOLVED that the Licensing Committee:

- 1. Agrees for the council to designate and maintain a list of wheelchair accessible Hackney Carriage and Private Hire vehicles pursuant to Section 167 of the Equality Act 2010; and**
- 2. Agrees that the power to designate vehicles under section 167 and the power to determine applications for and to issue exemption certificates under Section 166 to be designated to officer level.**

16. Applications Received

The Chair introduced the report explaining it was a summary of the applications received under the Licensing Act 2003 and Gambling Act 2005 for the period of the 1 June 2016 to 31 May 2017.

RESOLVED:

That the Licensing Committee noted the contents of the report.

17. CSE Awareness Training for Hackney Carriage-Private Hire Drivers - Update

This report was presented to Members providing an update on the progress of delivery for Thurrock Council's Child Sexual Exploitation Awareness Training for Hackney Carriage and Private Hire Drivers.

Officers notified the Committee the Council currently had licensed 335 Hackney Carriage and Private Hire drivers. Following the most recent course in August 2017 there were only 13 drivers that remain untrained. There was one more course available this year in December, it was commented officers anticipated that following this course all existing drivers will have attended this training.

Licensing Members heard an e-learning course which followed the content of the classroom delivered training package had being developed to allow new applicants to receive the appropriate training before starting driving. This course was to be sat at the same time as the knowledge test

It was queried as to what would happen if drivers did not complete the training. Officers explained that should drivers not complete the training by the time of renewal of their licence, then their licence would not be renewed.

Councillor Jones, sought if the remaining 13 drivers had been notified of the training date. It was confirmed that during the consultation stage drivers suggested training during the school holidays would be preferred; however some drivers had other jobs. All remaining drivers had been contacted and made aware of the December training date.

Members enquired if there had been any cases in Thurrock relating to CSE and taxi drivers. The Principal Licensing Officer stated he did not know of any cases in Thurrock, however it was not within his remit. He continued to assure Members all licenced drivers had completed full DBS checks and were at present considered fit and proper to hold a taxi drivers licence.

RESOLVED:

That the Licensing Committee noted the contents of the report.

The meeting finished at 7.15 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**