

LICENSING COMMITTEE - WEDNESDAY, 1 FEBRUARY 2023

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON WEDNESDAY, 1 FEBRUARY 2023 AT 10:00

Present

Councillor M Lewis – Chairperson

R Williams	J Llewellyn-Hopkins	J E Pratt	R J Smith
RM James	RJ Collins	MJ Kearns	H T Bennett
A R Berrow	H Griffiths	P W Jenkins	

Apologies for Absence

I Williams and S J Bletsoe

Officers:

Kirsty Evans	Senior Licensing Officer
Andrea Lee	Senior Lawyer
Michael Pitman	Technical Support Officer – Democratic Services
Stephen Griffiths	Democratic Services Officer - Committees

14. APOLOGIES FOR ABSENCE

I Williams and S J Bletsoe

15. DECLARATIONS OF INTEREST

None

16. PROPOSED AMENDMENT TO THE HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS AND THE DUAL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

The Senior Licensing Officer presented a report seeking to amend the Hackney Carriage and Private Hire Vehicle licence conditions along with the dual Hackney Carriage/Private Hire Driver's Licence conditions to promote public safety, and to report back to members following a consultation with the taxi and private hire trade on the proposed amendments.

Under the Local Government (Miscellaneous Provisions) Act 1976, the Council may attach any conditions to the grant of a Hackney Carriage Vehicle Licence, Private Hire Vehicle Licence, and dual Hackney Carriage/Private Hire Driver's Licence that they consider reasonably necessary. Conditions of licence are essential to promote public safety.

A proportion of vehicle licensees/proprietors rent, lease or loan out their vehicle to other licensed drivers. Whilst the current procedures require the licensee to declare who is involved in the letting or keeping of the vehicle at the commencement of the licence, the current conditions do not require the licensee to keep records of who driving the vehicle throughout its duration. This can prove difficult when investigating complaints.

The licensing authority is proposing to further safeguard the public by adding a new condition to the Hackney Carriage and Private Hire Vehicle Licence conditions as set out in section 4.3 of the report.

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With this added condition the licensing authority will be able to ensure that those who drive licensed hackney carriage and private hire vehicles can be more easily traced when investigating complaints or assisting other agencies.

There are already multi agency data sharing protocols in place to notify the licensing authority of issues involving taxi drivers. However, it is proposed that a new condition, as outlined in section 4.6 of the report, is added to the dual Hackney Carriage/Private Hire Driver's Licence. It would therefore cover all types of relevant issues not just criminal convictions.

The addition of this condition places an onus on licensees to inform the licensing authority of any convictions or pending convictions/investigations during the course of their licence.

Applicants and licensees are also required to provide a medical certificate upon the grant and renewal of a licence. A medical certificate is required to ensure that drivers are in good enough health to maintain public safety on the roads. Hackney carriage and private hire drivers are subject to higher medical standards than ordinary drivers. They are legally obliged to report any changes in their medical condition to the Driver and Vehicle Licensing Agency (DVLA) for an assessment as to whether this affects their legal ability to drive safely, but this proposal also places an onus on them to report any changes to the Licensing Authority.

The Licensing Authority is proposing that a new condition, as outlined in section 4.9 of the report, also be added to the current Hackney Carriage/Private Hire Driver's Licence conditions.

The addition of this condition places an onus on licensees to notify the Council in writing within seven days of any change or deterioration to his/her health which requires notification to the DVLA.

During the last Licensing Committee meeting members resolved that a 12-week consultation should take place on the proposed amendments with the taxi and private hire trade within Bridgend County Borough Council. This consultation took place between 4 October 2022 and 27 December 2022 and no responses were received.

It is recommended that the Committee consider the contents of the report and resolve to:

1. Amend the Hackney Carriage and Private Hire Vehicle conditions to include the conditions as set out in sections 4.3, 4.6 and 4.9 of the report.

RESOLVED: That the Committee agreed to the proposed amendments as outlined and recommended in the report.

17. URGENT ITEMS

None