

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 6 October 2021 in the Council Chamber - Town Hall, Runcorn

Present: Councillors Wallace (Chair), Abbott (Vice-Chair), D. Cargill, Fry, Loftus, A. McInerney, Teeling, Wainwright and Woolfall

Apologies for Absence: None

Absence declared on Council business: None

Officers present: K. Hesketh, N. Wheeler and L. Wilson-Lagan

Also in attendance: None

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

Prior to the commencement of the meeting a minute silence was held for Councillor Harry Howard who had passed away last month and who was a previous member of the Committee. The Chair also thanked Kay Cleary who retired from the role of Licensing Manager on 30 September 2021 for her service to the Council.

REG5 MINUTES

The Minutes of the meeting held on 30 June 2021, were taken as read and will be signed as a correct record, subject to the addition by Councillor Wallace of a tribute to former Councillor, Pauline Hignett.

REG6 GAMBLING ACT 2005 STATEMENT OF GAMBLING POLICY

The Committee considered a request to approve a Draft Statement of Gambling Policy for recommendation to the Council for adoption. The Committee was advised that no responses were received following the consultation process.

RESOLVED: That having undertaken a consultation exercise the draft Statement of Gambling Policy be approved by the Committee and be recommended to Council for adoption.

An appropriate form of wording for the Council resolution would be: "The Council:

1. adopts the Statement of Gambling Policy attached to the report to come into effect immediately following the expiry of the current Policy; and
2. directs that the Operational Director - Legal and Democratic Services publish the Statement in accordance with section 349 of the Gambling Act 2005 and the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006."

REG7 TAXI MATTER

The Committee met to consider three amendments to taxi licensing policy.

In July 2020 the Department for Transport (DfT) published its Statutory Taxi and Private Hire Vehicle Standards Document ("Standards Document").

On 2 September 2020 the Regulatory Committee received a copy of the Standards Document and were advised that the contents and implications would be examined by the Licensing Section and matters referred back to the Committee for consideration.

One recommendation in the Standards Policy was to implement a new Professional Standards Policy relating to convictions and this had already been put before Members of the Committee and adopted by the Council.

Three further recommendations from the Standards Document had been considered by Officers and were put to the Committee as recommended amendments to the current taxi licensing policy. These were as follows:-

1. The requirement to check all new taxi driver applicants against a central data base prior to being licensed as well as updating the database with details of license refusals and revocations.
2. The requirement for all licensed drivers to be registered with the Disclosure & Barring Service (DBS) update service so that more frequent checks can be made.
3. An amendment to the vehicle licensing policy

requiring the display of a customer feedback notice in licensed vehicles.

The members took in account the information provided in the Committee item and the 4 Appendices and were in agreement with introducing the above requirements subject to there being an amendment to the proposed wording of the Vehicle Licence Policy Amendment set out in Appendix D. The amended wording agreed by the Committee is set out in bold below.

*“Every licensed hackney carriage and private hire vehicle is required to permanently display in a prominent location for the customer a **feedback notice (compliments and complaints)** as provided by the licensing section”.*

The reason for the amended wording was that the Committee wanted to make it clear that the feedback notice was also for positive feedback and not just complaints.

RESOLVED: To make a recommendation to the Executive Board that the current taxi licensing policies be amended by adopting the following:-

1. A requirement that all new applicants be checked against a central database prior to being licensed and that a National Register be updated with details of licence refusals and revocations.
2. A requirement for all licensed drivers to be registered with the Disclosure & Barring Service (DBS) update service so that more frequent checks can be conducted.
3. An amendment to the vehicle licensing policy requiring the display of a customer feedback notice in vehicles.

REG8 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee considered:

- (1) Whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to

be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

- (2) Whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972

REG9 TAXI MATTER

Case No. 728

RESOLVED: That the holder of the Single Status Drivers Licence was not a fit and proper person and consequently the licence was revoked.

REG10 TAXI MATTER

Case No. 729

RESOLVED: That the holder of the Single Status Drivers Licence was not a fit and proper person and consequently the licence was revoked.

REG11 TAXI MATTER

Case No. 730

RESOLVED: That the holder of the Single Status Drivers Licence was not a fit and proper person and consequently the licence was revoked.

Meeting ended at 7.48 p.m.