

WEST DEVON DEVELOPMENT MANAGEMENT AND LICENSING COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Development Management and Licensing Committee** held on **Tuesday, 19th July, 2022** at **10.00 am** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Yelland
Vice Chairman

Cllr Cheadle (as Substitute)	Cllr Heyworth
Cllr Leech	Cllr Mott
Cllr Moyse	Cllr Ratcliffe
Cllr Renders	Cllr Southcott
Cllr Spettigue	

In attendance:

Officers:

Licensing Specialist
Monitoring Officer
Democratic Services Officer

8. **Apologies for Absence**

*DM&L.8

There were apologies from Cllr T Pearce

9. **Declarations of Interest**

*DM&L.9

There were no declarations of interest.

10. **Items Requiring Urgent Attention**

*DM&L.10

There was no urgent business brought forward to this meeting.

11. **Confirmation of Minutes**

12. *DM&L.11

The Minutes of the Development Management and Licensing Committee Meeting held on 14th June 2022 were confirmed as a correct record.

12. **Hackney Carriage and Private Hire Policy - The Statutory Taxi and Private Hire Vehicles Standards**

DM&L.12

The Licensing Specialist introduced the report to the Committee. He explained that the regulations had now been standardised. He said they could be tailored to fit a particular authority however the safety standards would be universal along with the criminal records check. West Devon reviewed their Taxi Policy in 2018 and many of the new statutory standards were already in place in this Policy.

In answer to member questions the Specialist Officer confirmed that the changes have been discussed in informal talks with taxi operators and published in taxi newsletters. A press release would go out in regard to the updated safety regulations.

The policy is written to take into account points awarded for speeding issued by the Police, however vehicles of interest recorded by Speedwatch co-ordinators, despite being valuable intelligence are not taken into account currently. The licensing department do have powers to suspend a licence should a vehicle be found to have a defect whilst licensed.

Accordingly, after discussion and debate it was proposed and seconded and **RESOLVED** that:

1. The Development Management and Licensing Committee notes the content of the Department for Transport Statutory Taxi and Private Hire Vehicle Standards (the DFT Standards).
2. That the Development Management and Licensing Committee considers the following proposed changes to the Hackney Carriage and Private Hire Policy:-
 - a) Appendix A is amended to align the Hackney Carriage and Private Hire Licensing Criminal Convictions Policy with the 'Institute of licensing – Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades';
 - b) That applications are reviewed against the National Register of Revocations and Refusals (Part 1 Para 10.9);
 - c) Referral to the barred list where the individual is thought to present a risk of harm to a child or vulnerable adult (Part 1 Para 10.11);

- d) Introduction of a requirement for a tax conditionality check as part of the application process (HMRC requirement from 4th April 2022);
 - e) Amendment of the notification period for Licence Holders/ Applicants to notify the Licensing Authority of arrest/ conviction/ caution etc from 5 days to 48 hours;
 - f) Introduction of a requirement for vehicle proprietors to provide a basic DBS certificate as part of the application process (Part 2 Para 26.1);
 - g) Introduction of a mandatory requirement to display a "How to complain" sticker within Licenced vehicles (Part 2 para 28.4);
 - h) Introduction of a requirement from 1st January 2023 for private hire operators to obtain a basic DBS disclosure certificate for all controllers (call handling and dispatching staff), and have a written policy on employing ex-offenders (Part 2 Paras 41.6-41.7);
 - i) Introduction of additional record keeping requirements for private hire operators from 1st January 2023 (Part 2 para 48.1);
3. That the Development Management and Licensing Committee recommends to Council that the draft Hackney Carriage and Private Hire Policy, as amended, is adopted at the meeting on 27th September 2022.

The Meeting concluded at 10.26 am

Signed by:

Chairman
