

SHEFFIELD CITY COUNCIL

Licensing Committee

Meeting held 12 December 2013

PRESENT: Councillors Clive Skelton (Chair), Nikki Bond, Roger Davison, Neale Gibson, Adam Hurst, George Lindars-Hammond, Denise Reaney, Stuart Wattam, Cliff Woodcraft and Joyce Wright

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Jenny Armstrong, David Barker and Jillian Creasy.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETINGS

4.1 The minutes of the meetings of the Licensing Sub-Committee held on 14th, 15th, 21st and 28th October and 4th November, 2013 were approved as correct records.

5. PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING - DRIVER RENEWAL AND NEW APPLICANTS' CRIMINAL RECORDS CHECKING

5.1 The Committee received a report of the Chief Licensing Officer informing Members of the City Council's forthcoming administrative changes to the Disclosure and Barring Service – Certification and how these changes will affect Hackney Carriage and Private Hire Licensing.

5.2 In attendance were Clive Stephenson, Principal Licensing Officer; Peter Davies, GMB; Aftab Ahmed GMB; Neil Lifford, Tradex Insurers; Jonathan Eales, Mercury Taxis; and Marie-Claire Frankie, Solicitor to the Committee.

5.3 Clive Stephenson outlined the details set out in the report and stated that as from April, 2014, the Council will no longer hold a licence as a registered body with the Disclosure and Barring Service (DBS). He stated that this had arisen due to the fact that the Schools and Human Resources Services were no longer willing to pay the £5,000 per annum registration fee. He added that these services have decided to use the online service provided by Capita for all applications to the DBS and that the Licensing Service do not carry out enough checks per year to apply to be a registered body and pay the registration fee.

- 5.4 Clive Stephenson referred in particular to the two options open to the Licensing Service if the process was to move over to the Capita online systems. He said that each application would cost £44 (charged by the DBS and which was currently paid by the licence applicant), plus an extra levy by Capita of either £4 or £6.10 depending on the option used, but that the Licensing Service would fund the costs of the extra levy from the current licensing budget.
- 5.5 In response to questions from Members of the Committee, Clive Stephenson said that the Licensing Service did have the capacity to continue to carry out the DBS checks in the Licensing Reception area and would be able to guide applicants through the online system, and by doing so, were able to have a direct link with the drivers and would know instantly if the checks were clear and not cause any delays in issuing licences. One of the main concerns raised was that the applicant themselves, rather than the Service, would be notified if there was information on their certificate, although in these cases the applicant would have to present that certificate to the licensing service in order to progress their application.
- 5.6 Clive Stephenson also stated that he had made enquiries of other Licensing Services and some were hoping to “piggy back” onto other services, and others were using the service to be provided by Capita, as Capita hold a licence to carry out the checks for the whole of the UK.
- 5.7 RESOLVED: That the public and press and attendees be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 5.8 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the report.
- 5.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 5.10 RESOLVED: That the Committee, although of the opinion that Option 1 as set out in the report now submitted would be the most suitable way forward, requests the Chief Licensing Officer to carry out further investigations of other service providers and in particular, the other South Yorkshire Local Authorities, to (a) explore the potential for Sheffield Licensing Service to act as lead authority for the South Yorkshire Licensing Services and (b) identify a cheaper service than the service offered by Capita, and report back thereon to the Committee at its meeting to be held in February, 2014.
- 6. PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING - REVIEW OF FREQUENCY OF MECHANICAL COMPLIANCE TESTING OF LICENSED VEHICLES**
- 6.1 The Chief Licensing Officer submitted a report reviewing the current policy which determines the number of times a licensed vehicle is required to be tested at the

expense of the licensee.

- 6.2 Clive Stephenson, Principal Licensing Officer, presented the report and stated that this was an annual review to look at the testing procedures and to consider the options open to the Committee.
- 6.3 Members of the Committee and Trade Association representatives made a number of enquiries regarding the report, which mainly sought clarity regarding the findings of tests carried out during November, 2012 and October 2013, and the figures shown in Appendix 1 outlining pass/fail/suspension results.
- 6.4 Clive Stephenson presented a booklet that was available to drivers and garages and shows what is required of vehicles when presented for testing. He stated that Sheffield has a very high standard when testing vehicles and that some other Authorities have adopted Sheffield's standards. He added that drivers are given plenty of notice that their vehicles are due for testing and if they should fail, re-tests are held as quickly as possible, usually on Thursdays. However the Licensing Service was looking at ways of improving the system and getting re-tests done quicker.
- 6.5 Members also asked why hackney carriage vehicles were more likely to fail than private hire vehicles, to which Clive Stephenson informed them that there were more things to go wrong on hackney carriages i.e. disabled access, meters, etc. Clive Stephenson added that if a vehicle fails on a regular basis, then its licence is referred for consideration by the Licensing Sub-Committee.
- 6.6 Clive Stephenson stated that private hire vehicles can only be licensed for up to nine years, due to the amount of mileage usually undertaken, which was generally between 30,000 and 40,000 per annum, but added that the majority of the City's hackney carriage and private hire vehicles were very well maintained.
- 6.7 RESOLVED: That the public and press and attendees be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 6.8 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the report.
- 6.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 6.10 RESOLVED: That, following consideration of the report now submitted, the Committee agrees to leave the current policy in place, making no alterations to the frequency of testing of licensed vehicles of both licence types.