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Licensing & Appeals Committee

Minutes of a Licensing & Appeals Committee meeting held at 6.00 pm on Tuesday, 26th March, 2024 in the Council Chamber, Town Hall, Bank Road Matlock DE4 3NN.

PRESENT

Councillor Steve Wain - In the Chair

Councillors: Anthony Bates, John Bointon, Geoff Bond, Peter Dobbs, Marilyn Franks, Joanne Linthwaite, Laura Mellstrom, Lucy Peacock and Peter Slack

Eileen Tierney (Licensing Manager), Grace Dowson (Licensing Manager), Lucy Harrison (Democratic Services Assistant), Jason Spencer (Electoral and Democratic Services Manager) and James Cunningham (Solicitor)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Dawn Greatorex, Neil Buttle, Steve Flitter and Susan Hobson

386/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Marilyn Franks, seconded by Councillor Peter Dobbs and

RESOLVED

That the minutes of the meeting of the Licensing and Appeals Committee held on 26 03 2024 be approved as a correct record.

Voting

08 For

**00 Against
02 Abstentions**

The Chair declared the motion **CARRIED**.

387/23 - INTERESTS

Item 6 - Review of House-To-House and Street Collections Licensing Policy

Councillor Steve Wain declared a non-pecuniary interest due to being a member of the Royal British Legion and occasionally collecting donations for them.

Councillor Joanne Linthwaite declared a non-pecuniary interest due to volunteering to collect donations to the Royal British Legion Poppy Appeal.

Councillor Marilyn Franks declared a non-pecuniary interest due to being a member of the Royal National Lifeboat Institution and occasionally collecting donations for them.

388/23 - PUBLIC PARTICIPATION

Mr John Greenhough spoke on Item 5, Request for Exemption from Taxi Licensing Policy Requirement Maximum Age Limit for Licensed Vehicles.

389/23 - REQUEST FOR EXEMPTION FROM TAXI LICENSING POLICY REQUIREMENT MAXIMUM AGE LIMIT FOR LICENSED VEHICLES

The Licensing Manger introduced a report seeking consideration of an application for an exemption from the Council's Taxi Licensing Policy's vehicle maximum age limit.

Members were informed that the Council's Taxi Licensing Policy required that any vehicle to be licensed as a taxi (hackney carriage) or a private hire vehicle would not be more than 10 years old at the time of licensing. This meant that when a licensed vehicle passed the tenth year of registration, the taxi/private hire vehicle licence could not be automatically renewed as it no longer complied with policy requirements.

A request had been received from Mr John Greenhough, Area Director for 24 x 7 ltd, for an exemption from the 10-year age limit in respect of fully wheelchair accessible vehicles (WAV) currently licensed by the Council but approaching 10 years of age.

The 6 vehicles that Mr Greenhough wished to re-licence after each had passed 10 years of age, were listed in his request to the Committee for an exemption in Appendix 1. A brief licensing history and the age of each vehicle was summarised in Appendix 2.

The recommendations as set out in the report were moved by Councillor Geoff Bond, seconded by Councillor John Bointon, with an amendment to recommendation 3 as set out below:

3. That the Committee considers giving tacit approval for all 6 vehicles on the list (in Appendix 2 to the report) to vary the age limit for these vehicles to 13 years.

And the addition of recommendation 4:

4. That at the discretion of the lead mechanic, up to a maximum of 3 inspections on these vehicles a year should be carried out as necessary.

RESOLVED (unanimously)

1. That the Committee considers the request from John Greenhough, Area Director for Derbyshire for 24 x 7 Ltd, for an exemption from the Council's Taxi Licensing Policy requirement in respect of the maximum age limit for licensing a vehicle as a private hire vehicle.
2. That having considered the request, the Committee determines whether applications to re-licence the wheelchair accessible vehicles detailed in Appendix 2 of the report, currently licensed as Private Hire Vehicles (contract only), should be accepted by the Licensing Manager.
3. That the Committee considers giving tacit approval for all 6 vehicles on the list (in Appendix 2 to the report) to vary the age limit for these vehicles to 13 years.
4. That at the discretion of the lead mechanic, up to a maximum of 3 inspections on these vehicles a year should be carried out as necessary.

The Chair declared the motion **CARRIED**.

390/23 - REVIEW OF HOUSE-TO-HOUSE AND STREET COLLECTIONS LICENSING POLICY

The Licensing Manager introduced a report which sought the Committee's consideration of the draft House-to-House and Street Collections Policy detailed in Appendix 1. Approval was sought for Officers to carry out a consultation exercise on an agreed draft Policy, with a view to referring it to full Council for consideration for adoption and republishing by 1st August 2024.

The Council was the Licensing Authority for Charitable Street Collections under Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 and Charitable House to House Collections under the House-to-House Collections Act 1939.

The current Policy was approved by Council and took effect from 1st July 2021 with a view that a further review would be carried out 3 years later. In the interim period the Policy had been kept under review, and any legislative or administrative changes required had been made to the draft Policy document detailed in Appendix 1.

Officers consider that the Policy has worked well; there had not been any complaints or issues in the way the service had been administered during the last 3 years. It was noted that a 6-week consultation exercise should be undertaken to ensure that stakeholders of the service have the opportunity to influence any required changes.

An amendment to the recommendation was moved by Councillor Lucy Peacock, seconded by Councillor Geoff Bond. This was put to the vote and

RESOLVED (unanimously)

That the Committee considers and approves for consultation the draft House-to-House and Street Collections Policy as detailed in Appendix 1, once updates have been made to the draft Policy in regard to complaints, GDPR and modern payment methods.

The Chair declared the motion **CARRIED**.

Meeting Closed: 7.03 pm

Chair