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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), 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 5<sup>th</sup> December 2023 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 for 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 which requested that Members consider 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-license, 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.

It was moved by Councillor Geoff Bond, seconded by Councillor John Bointon and

**RESOLVED** (unanimously)

1. That having considered the request for an exemption from the Council's Taxi Licensing Policy requirements, authority be delegated to the Licensing Manager to approve a variation to the age limit for all 6 vehicles on the list (at Appendix 2 to the report) to 13 years.

2. That at the discretion of the lead mechanic, up to a maximum of 3 inspections on these vehicles a year 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. 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 1<sup>st</sup> August 2024.

It was noted that the District 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 the Council and took effect from 1<sup>st</sup> 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.

It was noted that to date 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 also noted that a 6-week consultation exercise should be undertaken to ensure that stakeholders of the service would have the opportunity to influence any required changes.

It was moved by Councillor Lucy Peacock, seconded by Councillor Geoff Bond and

**RESOLVED** (unanimously)

That Officers be approved to carry out the consultation exercise on the draft House-to-House and Street Collections Policy, following implementation of the proposed updates to the draft Policy relating to complaints, GDPR and modern payment methods.

The Chair declared the motion **CARRIED**.

**Meeting Closed: 7.03 pm**

**Chair**