

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE  
held on 19 May 2016**

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**PRESENT -**

Councillor Graham Dudley (Chairman); Councillor David Wood (Vice-Chairman);  
Councillors Michael Arthur, Chris Frost, Rob Geleit, Tina Mountain, Martin Olney,  
David Reeve, Clive Smitheram and Jean Steer

Officers present: Sandra Dessent (Democratic Services Officer) and Rachel Jackson  
(Licensing, Grants and HIA Manager)

**52 QUESTION TIME**

No questions were asked or had been submitted by members of the public.

**53 DECLARATIONS OF INTEREST**

No declarations of interest were made by Councillors regarding items on the Agenda.

**54 MINUTES OF PREVIOUS MEETING**

The Minutes of the Meeting held on the 21 April 2016 were agreed as a true record and signed by the Chairman, subject to the amendment of a grammatical error in item 49, first paragraph which should read: '...Hackney Carriages to be fitted with a credit/debit card **or** other cashless payment facility in line with TfL requirements'.

**55 APPOINTMENT OF LICENSING PANEL CHAIRMEN**

The Committee received a report asking for the selection of four Members from the pool of Licensing Panel Members to be available to Chair as required any Panels held during the 2016/17 Municipal Year.

The Committee was informed that it was advisable to apply the following criteria when considering the suitability of candidates:

- Daytime availability, as the majority of the Panels were held during weekday working hours.
- The licensing process could be subject to appeal and it was beneficial to appoint members who had previously served on the Licensing Panel, and had knowledge of the Council's policies.

- The majority of Licensing Hearings consisted of contested applications in Town Ward, and as Chairman could not preside over an application from their own ward, it was advisable to elect no more than one Town Ward Councillor.

There being more nominations than the number of positions to be filled, a ballot took place, and the appointments made by an absolute majority of those present.

Accordingly, the following members were appointed to act as Chairmen for any Licensing Hearings Panels held during the 2016/17 Municipal Year: Councillors Neil Dallen, Rob Geleit, Clive Smitheram and Jean Steer.

## **56 AMENDMENT TO THE HACKNEY CARRIAGE AND PRIVATE HIRE PENALTY POINTS SCHEME**

The Committee were asked to approve an amendment to the Hackney Carriage and Private Hire Penalty Points scheme.

The scheme had been in operation since 2008 and had been subject to minor amendments as part of the Policy review process. All driver, operators and vehicle proprietors were required to agree to be bound by the scheme upon grant and renewal of their licence. In April 2016 a request was received from Councillors following concerns from local residents about irresponsible parking by a minority of individuals who were contravening yellow line markings. It was therefore proposed that the following three additions were made to the Penalty Points scheme:

- Cause or permit the vehicle to be stationary on double lines, other than to allow passengers to board or alight from the vehicle.
- Cause or permit the vehicle to be stationary on a single yellow line, in contravention of the notices displayed, other than to allow passengers to board or alight from the vehicle.
- Contravention of any traffic laws, regulations, orders or guidance outlined in the current Highway Code.

The Committee discussed the implications of enforcing the scheme, and Officers reiterated the intention in implementing the additions was to support routine enforcement campaigns, and function as a deterrent, as opposed to a punishment. The Penalty Points schedule detailed the maximum points given for an offence, and Officers would operate discretion when deciding on the number of points. Individual circumstances would be taken into consideration and factors such as risk to the public and previous incidents would be taken into account.

Members were advised that if they witnessed a breach of the law, Policy or Licence condition, they should contact a Licensing Officer as soon as possible with details of the incident, and it was the responsibility of the Officer to contact/interview the driver and initiate any appropriate action in line with the parameters of the scheme.

The Committee was informed that all licence holders were required to sign their licence on grant or renewal to confirm their understanding and acceptance of the penalty points scheme. All licence holders would be notified in writing of amendments to the Penalty Points scheme.

Accordingly the Committee agreed to the amendment to the Hackney Carriage and Private Hire Penalty Points scheme, to include the three additional conditions, the breach of which could incur a maximum of six penalty points each.

*Postscript: Following legal advice after the meeting, it was agreed that the scheme would take effect immediately however there would be a period of 21 days from the date of the licence holders being notified before the new scheme would be enforced.*

*The meeting began at 7.30 pm and ended at 8.23 pm*

COUNCILLOR GRAHAM DUDLEY (CHAIRMAN)