

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Licensing Committee held on Friday 6th November 2020 at 14:00 via Zoom.

Present: Councillors E Ashby, R Cornwell, A Doig and D Freeman.
Also present: A Shanley (Clerk).

Cllr L Brown in the Chair

1. Welcome and apologies

None received.

2. To receive any declarations of interest from members

None received.

3. To receive and approve as a correct record the minutes of the meeting on 25 September 2020

The minutes of the meeting held on 25th September 2020 were unanimously agreed as a true and accurate record of proceedings.

4. To receive any public participation comments on the following agenda items.

None received.

5. Update on proposal from Durham Police to fund an enhanced drug testing facility

The Clerk reminded Members that the funding for two additional dog searches of licensed premises had been agreed by Full Council, however, it has not proved possible to progress this due to the Covid-19 lockdown and the position will therefore need to be reviewed once it became clear what regime would be in force once lockdown had ended.

6. Hackney carriages and private hire vehicles DCC policy consultation –

The Chair reminded Members that the County Council has now launched a consultation on its hackney carriages and private hire vehicles policy.

The Chair reminded Members that this was discussed at a previous meeting of the Parish Council's Licensing Committee and it was agreed at the meeting that the Parish Council ought to respond in view of the important role which these vehicles play in the City of Durham Parish area.

The Chair also reminded Members of the meeting which took place earlier in the month with the Chair of the Durham Taxis Association in order to discuss the Association's view of the new policy.

Members considered the new draft Hackney Carriage and Private Hire Licensing Policy 2021 to 2026 and the following points were agreed to be included as part of the Parish Council's submission to this consultation:

- I. The Parish Council welcomes the review of this policy and the additional measures proposed to ensure passenger and driver safety.
- II. Under Section 4.0 (Vehicle Emissions and Manufacture Criteria), the proposed additional wording "All existing licenced vehicles that are more than 8 years old will not be re-licenced after 1st April 2024" should be removed and instead the

Policy ought to be - after 1st April 2024, all vehicles, be they new or existing, must meet the Euro 6 standard.

- III. There ought to be a requirement that vehicles switch off their engines when stationary so as to reduce emissions.
- IV. There is a recognition that Durham City is full of taxis from Newcastle, Middlesbrough, North Tyneside and Sunderland. The Committee felt that de-regulation played an important role in ensuring enforcement of this policy and wanted to know what the cross-border authorisation arrangements referred to under section 7.4 of the new policy were exactly.
- V. The Committee expressed concern at the wording in para 19.4 of the draft policy, in particular relating to social media. It was felt that the policy ought to be more specific and state that this would only be relevant on a social media site where the driver is identifiable as a Durham licensed Taxi driver. The Committee felt that what a driver happens to put on his/her own personal social media pages in their own time has nothing to do with their ability or otherwise to carry out their job as a taxi driver.
- VI. The Committee fully supported the paragraph on page 34 of the draft policy which states: **"Where an applicant has 7 or more points on their DVLA driving licence for minor traffic or similar offences, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed."**
- VII. The Committee was aware from the meeting with the Durham Taxi Association that only 6% of the current licensed fleet in Durham is wheelchair accessible. The Committee felt that every effort ought to be made to increase this provision.
- VIII. The Committee fully supported the paragraph on page 35 of the draft policy which states: **"Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed."**
- IX. The Committee fully supported the requirement that all vehicles have a fire extinguisher and a first aid kit and that these items ought to be stored inside the boot of the vehicle.
- X. The Committee agreed that the following general statement ought to be included in Appendix 1 of the draft Policy: **"that drivers must comply with traffic laws and all council traffic regulations /restrictions /requirements at all times as a condition of their licence."**
- XI. In relation to the section on License Conditions for Horse-Drawn vehicles in the new draft policy, the Committee agreed that the sentence: "Proprietors must arrange for animals to be checked at least annually, and at any other time at the request of the Council, by an approved veterinary surgeon" ought to be amended to state that this must take place at least once every 6 months.

7. Update on recent licensing applications

The Committee noted that the recent applications from Coviello and Ebony (Champagne Bar) to use part of the public realm for outdoor seating had been refused.

The Clerk reminded Members that the Parish Council's Licensing Committee objected to both due to both applications breaching the non-obstruction condition of the Business and Planning Act 2020.

The Clerk also advised that the Parish Council's Planning Committee also objected to the planning application DM/20/01606/FPA from Ebony for use of this area and this too has been refused.

The Committee also noted the Licensing Committee's alternative suggestion for Coviello for outside seating by the former Topman/Topshop stores has also been refused by DCC on similar grounds as well as concern about this leading to further complaints from the public.

There being no further business, the Chair thanked all for their attendance and contribution and closed the meeting.

Signed,

A handwritten signature in black ink, appearing to be 'G. Bro', with a long horizontal line extending to the right.

Chair of the City of Durham Parish Council Licensing Committee