

**Minutes of a Meeting of the Licensing
Committee held at Council Chamber,
Surrey Heath House on 23 November
2016**

+ Cllr Bill Chapman (Chairman)
+ Cllr Ian Sams (Vice Chairman)

+ Cllr Nick Chambers	- Cllr Oliver Lewis
+ Cllr David Allen	+ Cllr Bruce Mansell
+ Cllr Mrs Vivienne Chapman	- Cllr Nic Price
- Cllr Surinder Gandhum	+ Cllr Pat Tedder
+ Cllr Ruth Hutchinson	+ Cllr Joanne Potter
+ Cllr Paul Ilnicki	+ Cllr Valerie White
+ Cllr David Lewis	

+ Present
- Apologies for absence presented

5/L Minutes of Previous Meeting

RESOLVED that the minutes of the meeting of the Licensing Committee held on 29 June 2016 be approved as a correct record and signed by the Chairman.

6/L Declarations of Interest

There were no declarations of interest.

7/L Licensed Driver Assessment Requirements

The Committee considered a report detailing proposed changes to the assessment process used when determining whether Hackney Carriage and Private Hire Driver Licences should be issued or renewed.

The Local Government (Miscellaneous Provisions) Act 1976 set out the regulations surrounding the issuing of Hackney Carriage and Private Hire Driver Licences including making provision for licensing authorities to set additional local requirements on the grounds of public safety. In line with many other local authorities, Surrey Heath Borough Council implemented additional local conditions requiring drivers to undergo, and satisfactorily pass, both a medical assessment and a driving assessment before a licence was granted. For many years, these tests have been conducted by external bodies however the current providers of both the driver assessments and the medical assessments have written to the Council informing them that they will cease providing the services in the coming months.

The Committee was informed that it was felt that driver assessments were an important part of the licensing process and officers have, since the publication of a

national statement by the Driver and Vehicle Standards Agency (DVSA) informing organisations nationwide that it would be withdrawing its Driver Assessment Service with effect from 31 December 2016, identified a number of potential alternative providers including the AA and the Blue Lamp Trust. It was felt that offering drivers a choice of assessment providers would not only help maintain a high and consistent standard of driving assessments but also ensure that waiting times were kept at realistic levels and fees were competitive and continuing to tie drivers to one specified provider was unrealistic. It was therefore proposed that the application process be updated to reflect this.

As part of its responsibility to ensure that drivers granted a private hire or hackney carriage driver licence were 'fit and proper' persons and continued to remain so for the duration of the time they held a licence, the Council required all applicants and licence holders to undergo medical assessments. The Council's current provider of health assessments has written to the Council expressing the view that collating medical information relating to someone who was not registered at their surgery was not appropriate as they did not have all the necessary facts to hand in order to make a fully informed decision. Consequently they felt unable to continue providing this service.

As a result of this decision, it has been proposed that a new system for driver medical assessments be introduced. If agreed, the first step in the new process would be for drivers to undergo a medical examination with their own GP based on the DVSA Group 2 standard; a wide ranging in depth assessment that was required for drivers who hold a lorry or bus licence. The subsequent report would then be submitted to the Council as part of the licence application. If any concerns were raised at this stage, the report would be passed to a designated Medical Advisor for review and if necessary a further medical with the designated Medical Advisor would be carried out before a decision on whether or not a licence should be granted. Any costs incurred as part of the assessment process would be paid by the applicant and licences would not be granted until payment had been made. It was agreed that the medical assessment proforma would be circulated to the Committee for information.

It was proposed that an arrangement be entered into with Dr Fraser, Upper Gordon Road Surgery in Camberley to act as the Council's designated Medical Advisor. Dr Fraser was currently provided a similar service to a neighbouring licensing authority and provided medical advisor services to the Council's Housing Team and the Surrey Heath Clinical Commissioning Group.

The Committee was informed that licenced drivers are required to undergo a medical assessment every three years, a frequency that was adopted by the Council to ensure that the medical examinations dovetailed with requirements that drivers underwent a Disclosure and Barring Service (DBS) check every three years. There are a number of licence holders for whom these two checks do not match and it was proposed that flexibility be introduced to the frequency of medical assessments on one occasion only to enable the two assessments to synchronise providing that the driver in question did not have a medical issue that required an annual assessment.

RESOLVED that:

- i. The requirement for all applicants for a licence to drive a Hackney Carriage or Private Hire Vehicle are dependent upon passing a driving assessment specific for taxi drivers and that the requirement for this to be solely obtained from the Driving Standards Agency be removed.
- ii. The proposed revisions to the Driver Medical Procedures, set out in paragraph 14, above be approved
- iii. The Council's Licensing Team enter into an arrangement for the provision of a medical advisory service with Dr Fraser, Upper Gordon Road Surgery, Upper Gordon Road, Camberley.
- iv. The age at which licensed drivers are required to undergo annual medicals be changed from 60 years of age to 65 years of age.
- v. The application process for licensed drivers be amended to allow a period of up to 5 years between medicals on one occasion only, providing a medical reason requiring an annual check does not exist in order to bring the requirements for the frequency of medical examinations in line with requirements for regular Disclosure and Barring Service checks.

8/L Street Collections Policy

The Committee considered a report setting out a proposed amendment to the Council's Street Collections Policy.

The Committee was informed that at the time that the policy had been adopted in 2012, it had been agreed that any one organisation should be granted a maximum of four collection licences per year and that the Rotary Club of Camberley and the Camberley and Frimley Lions would each be granted up to three collection licences for the month of December.

However, since the adoption of the Street Collections Policy the Council has received notice that the Camberley and Frimley Lions had been disbanded. The Surrey Border Lions has taken over their commitments in the area and had written to the Council requesting that they be allocated the three collection days in December that had been previously allocated to the Camberley and Frimley Lions.

RESOLVED that the number of collection days currently allocated at paragraph 7b of the Street Collections Policy to Camberley and Frimley Lions be reallocated to the Surrey Border Lions and that the Street Collections Policy be amended accordingly.

9/L Licensing Act 2003 - Summary of Decisions

The Committee received a report setting out a summary of the decisions taken under delegated powers in respect of licence applications where no representations had been received from the responsible authorities or any other persons and the minutes of a Licensing Sub Committee held on 19 August 2016.

RESOLVED that the minutes of the Licensing Sub Committee held on 19 August 2016 be approved as a correct record and signed by the Sub-Committee Chairman.

Chairman