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Meeting	Gambling, Licensing & Regulatory Committee
Date	21 May 2018
Present	Councillors Lisle (Chair), Funnell (Vice-Chair), Douglas, Hunter, Looker, Mason, Orrell, Pavlovic, Reid, Taylor, Taylor and Wells
Apologies	Councillors Hayes, Mercer and Richardson

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## **16. Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, which they might have in the business on the agenda.

Cllrs Mason and D Taylor each declared a personal interest in Agenda Item 4 (Renewal of Sex Establishment Licence), as they both knew the people named in the application as responsible for the management of the premises.

## **17. Minutes**

Resolved: That the minutes of the meeting held on 6 March 2018 be approved, and signed by the Chair as a correct record.

## **18. Public Participation**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Michael Dunn, of York Cars Taxis, spoke on Agenda Item 5 (Taxi Driver Training Update). He outlined the difficulties he faced in recruiting drivers, due to the cost and high fail rate of the test, which had resulted in an influx of out of area drivers, and urged the committee to adopt Option 2 in the report.

## **19. Renewal of Sex Establishment Licence**

Members received a report which presented an application to renew a Sex Establishment Licence for a sexual entertainment

venue, made under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 Control of Sex Establishments, in respect of Upstairs (Mansion), 53-55 Micklegate, York YO1 6LJ.

Officers at the meeting recommended that the matter be adjourned, as an objection to the application had been received from the Police and the applicant had not been informed of today's committee meeting. It was confirmed that an adjournment would not affect the operation of the establishment, as the application had been lodged prior to the expiry of the current licence, which would remain in force until the renewal application had been determined.

Resolved: That this item be adjourned to the next meeting of the committee, on 18 June 2018.

Reason: To enable the applicant to be informed of the date of the committee meeting at which the application will be determined and to attend if they wish.

## 20. **Taxi Driver Training Update**

Members considered a report which provided an update on the safeguarding and knowledge training and testing for new and existing taxi drivers, as requested by the committee at their meeting on 13 November 2017.

Under existing procedures, new applicants had to undertake a full day of training, costing £80, and pass a test. Existing drivers must demonstrate their knowledge of safeguarding, equalities and customer services. They could do this by undertaking a half day course, at a cost of £40, or in some other way, with each case considered on its merits. The test for new applicants had been changed to a multiple choice format, to make it fairer, as shown in the sample test circulated at the meeting. The current overall pass rate was 30.6%, with applicants finding the questions on routes and licensing conditions the most difficult. Members considered the following options, as detailed in paragraphs 20-26 of the report:

**Option 1** – maintain the existing procedures.

**Option 2** – as above, but take additional steps to help new drivers achieve the required standards. This was the recommended option.

**Option 3** – Members to make alternative suggestions.

In response to questions from Members, Officers confirmed that:

- The council had no powers to test 'out of area' drivers, who were covered by their own local authorities' procedures
- Face to face testing was preferred to online tests, as the applicant's identity could be verified and their interaction and language skills judged.
- One to one testing was available for those who had difficulties with writing.
- Applicants were encouraged to read a guidance note, which included details of local driving conditions and by-laws.
- Charges were based on the costs incurred by the training providers.

After a full debate, it was

Resolved: (i) That the contents of the report be noted.

(ii) That Option 2 be approved and the current training and testing procedures be maintained, with additional assistance provided to potential taxi drivers, particularly in respect of 'local knowledge'.

Reason: To ensure that knowledge of the local area and conditions is not a barrier to people who are otherwise 'fit and proper' applying to become taxi drivers and helping to drive up standards through increased competition.

(iii) That Officers consider providing some elements of training and guidance for drivers online.

Reason: To make this information available in a more accessible and cost effective way, where possible.

## **21. Urgent Business / Chair's Remarks**

The Chair reported that he had recently attended a regional meeting of Licensing Chairs, at which the issue of appeals procedures had been discussed. York was the only authority with two avenues for appeals; a sub-committee of this committee and the magistrates' courts. He suggested that a

report be brought to the committee outlining how these procedures could be harmonised across the region.

Members confirmed that they would like to receive a report on this matter at a future meeting of the committee.

Cllr S Lisle, Chair

[The meeting started at 4.00 pm and finished at 4.50 pm].