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MEETING	LICENSING & REGULATORY COMMITTEE
DATE	4 SEPTEMBER 2009
PRESENT	COUNCILLORS LOOKER, MOORE (VICE-CHAIR), ORRELL (SUBSTITUTE), B WATSON (SUBSTITUTE) AND WISEMAN (SUBSTITUTE)
APOLOGIES	COUNCILLORS FIRTH, GILLIES AND HORTON

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## **22. DECLARATIONS OF INTEREST**

At this point in the meeting, members are asked to declare any personal or prejudicial interests they may have in the business on the agenda. None were declared.

## **23. MINUTES**

RESOLVED: That the minutes of the meeting held on the 3 July 2009 be approved and signed by the Chair as a correct record.

## **24. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak under the Council's public participation scheme on general issues within the remit of the committee.

## **25. PROPOSED INTRODUCTION OF DRIVING STANDARDS AGENCY PRIVATE HIRE AND HACKNEY CARRIAGE DRIVING ASSESSMENT FOR NEW APPLICANTS.**

Members considered a report which requested them to consider amending the Council's existing policy for hackney carriage and private hire licence applications by introducing a requirement for all new applicants to submit with their application, a certificate of completion of a driving standards agency assessment specifically designed for hackney carriage and/or private hire vehicle driver's as provided by the Driving Standards Agency.

Officers updated that the report was brought to the Committee at the request of the Chair, and that the Driving Standards Agency had asked City of York Council if it would adopt the test. 139 Local Authorities have now introduced the test, including most Council area's in the North. At present there is no other requirement for drivers to take any such test and it would assist Officers in ensuring standards, especially in cases where existing or prospective drivers have points on their driving licence.

A newspaper article was circulated to Members which highlighted that the taxi trade in York supported the proposal.

Members welcomed the introduction of the test and supported the Officers recommendation to approve Option 3 as highlighted in the report.

RESOLVED: That Option 3 be approved as follows:

- (i) To adopt the requirement for all new applicants for a hackney carriage or private hire licence to attain a pass in the Driving Standards Agency test and assessment before their application is considered by the Council.
- (ii) In addition, where deemed necessary, to adopt the requirement in discipline or complaints matters involving licensed drivers.
- (iii) That this policy should come into effect on 1<sup>st</sup> April 2010.<sup>1</sup>

REASON: To assist the Licensing Department in ensuring that members of the public are transported safely in appropriately licensed vehicles, driven by identified, trained and vetted licensed drivers.

Action Required

1. Officers to make arrangements for the implementation of the DSA Test in April 2010. JL

**26. DESIGNATED PUBLIC PLACES ORDER - CLARENCE GARDENS.**

Members considered a report which advised them of a petition which was presented to Council on 9 July 2009, requesting that the council “ban the consumption of alcohol in Clarence Gardens” following concerns of an increasing level of disturbance resulting from “inappropriate drinking” and the action taken by officers.

Under section 13 of the Criminal Justice and Police Act 2001, powers exist for a local authority to make Designated Public Places Order (DPPO) where there is alcohol related nuisance or annoyance to the public in an area. The effect of the order is that the Police have powers to require a person to stop drinking alcohol in that area and request the surrender of

alcohol in any opened or sealed container. Failure to comply is an arrestable offence and subject to a maximum fine of £500. During Autumn 2008 it came to light that there was a problem with people drinking alcohol in Clarence Gardens and evidence began to be collected to support the introduction of DPPO. By May 2009 North Yorkshire Police gave they're full support for the DPPO along with residents and Ward Councillors. On 16 July 2009 a public notice was placed in the local press, seeking representations to the making of the order to be submitted by 17 August 2009. None were received,

Members commented that they were pleased to see the Order being implemented so quickly.

RESOLVED: That Members noted the content of the report.

REASON: To keep Members informed on Designated Public Places Orders

Councillor Moore, Chair

[The meeting started at 2.00 pm and finished at 2.16 pm].