

Leicester
City Council

MEETING OF THE LICENSING AND PUBLIC SAFETY COMMITTEE

DATE: MONDAY, 2 MARCH 2015

TIME: 5:30 pm

PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Committee

Councillor Clarke – Chair

Councillor Dr Barton – Vice Chair

Councillor Byrne – Vice Chair

Councillors Potter, Riyait, Sangster, Shelton and Westley.

Two Unfilled Places for Labour Group Members

Members of the Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for The Monitoring Officer

Officer contact : Graham Carey

Democratic Support

Leicester City Council

City Hall, 115 Charles Street, Leicester, LE1 1FZ

(Tel. 0116 454 6356)

Email@ graham.carey@leicester.gov.uk

Information for members of the public

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- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

If you have any queries about any of the above or the business to be discussed, please contact Graham Carey, **Democratic Support on (0116) 454 6356 or email graham.carey@leicester.gov.uk** or call in at City Hall, 115 Charles Street, Leicester, LE1 1FZ.

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PUBLIC SESSION

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business on the agenda.

3. MINUTES OF PREVIOUS MEETING

Appendix A

The minutes of the meeting held on 5 January 2015 are attached and the Commission will be asked to confirm them as a correct record.

The minutes and agenda of the Committee's meetings can be found on the Council's website at the following link:-

<http://www.cabinet.leicester.gov.uk:8071/ieListMeetings.aspx?CId=784&Year=0>

4. PETITIONS

The Monitoring Officer to report on the receipt of any petitions submitted in accordance with the Council's procedures.

5. QUESTIONS, REPRESENTATIONS, STATEMENTS OF CASE

The Monitoring Officer to report on the receipt of any questions, representations and statements of case submitted in accordance with the Council's procedures.

6. REVIEW OF DRIVERS' TOPOGRAPHICAL KNOWLEDGE TEST

Appendix B

The Director of Local Services and Enforcement to submit a report on a review of the Driver's Topographical Knowledge Test. The Committee previously asked for the existing topographical knowledge test to be reviewed, and the report outlines the requirements of the existing test, what a revised test could cover and suggests how the introduction of a revised test could be implemented.

The Committee will be asked to :-

- a) Approve the proposed revised test;

- b) Consider whether there are any additional items to be included in the test, or whether some items need to be approved.
- c) Approve a consultation exercise with the hackney carriage representatives and the existing private hire operators.

7. ANY OTHER URGENT BUSINESS



Leicester
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Appendix A

Minutes of the Meeting of the LICENSING AND PUBLIC SAFETY COMMITTEE

Held: MONDAY, 5 JANUARY 2015 at 5:30 pm

P R E S E N T :

Councillor Clarke (Chair)

Councillor Dr Barton

Councillor Byrne (Vice Chair)

Councillor Shelton

Councillor Westley

* * * * *

21. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Riyait.

22. DECLARATIONS OF INTEREST

Members were asked to declare any interests they might have in the business on the agenda. No such declarations were made.

23. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting held on 6 November 2015 be approved as a correct record.

24. PETITIONS

The Monitoring Officer reported that no petitions had been submitted in accordance with the Council's procedures.

25. QUESTIONS, REPRESENTATIONS, STATEMENTS OF CASE

The Monitoring Officer reported that no questions, representations and statements of case had been submitted in accordance with the Council's procedures.

26. PLYING FOR HIRE

The Director of Local Services and Enforcement submitted a report informing the Committee of the action that had been taken to deal with the offence of illegal plying for hire in the City.

It was noted that hackney carriage vehicles are licensed to be hailed in the street and private hire vehicles must be pre-booked through a private hire operator before the journey commences. Hackney carriage operators become concerned if private hire vehicles are seen to be plying for hire (known locally as 'flimping') as this effectively is taking trade away from licenced hackney carriage vehicles.

Although drivers may hold both a hackney carriage and a private hire driver's licence, a vehicle can only be licensed as either a hackney carriage or a private hire vehicle and an insurance policy for a private hire vehicle does not provide cover for plying for hire. Hackney carriages have standardised charges for fares and standard vehicle specifications including wheelchair access, whereas private hire vehicles can negotiate fares and have less stringent vehicle specifications.

The Council carried out four 'flimping' operations per year. Off duty policemen were used as 'test purchasers' to hail a private hire car in the street. In the two recent operations 5 private hire vehicle drivers failed the test by accepting to take the 'test purchaser' to a destination without a prior booking. At the destination the drivers were interviewed by Licensing Officers and prosecutions were pending. If the drivers were found guilty of the offence in the Magistrates Courts a licensing hearing would be held to review the driver's hackney carriage and private hire driver's licence.

In response to Members' questions it was stated that:-

- a) Drivers applying for licences had to take a topographical knowledge test. They can take the test up to a maximum of four times and if they fail, their hackney carriage and private hire driver's licence would not be issued.
- b) A computer based test was being considered to replace the existing paper based test.
- c) The failure rates for spot checks carried out on vehicles was less than it used to be and at the present time private hire vehicles had a higher failure rate than hackney carriage vehicles.
- d) The RMT union had carried out its own 'flimping' tests on behalf of its hackney carriage driver members. The Council would wish that any concerns were raised first with Licensing Officers to enforce the legislation. It was important that any 'flimping' tests were carried out in a robust and independent manner.

RESOLVED:-

That the current approach to deal with the practice of 'flimping' be endorsed and that the Committee review the situation following the outcomes of the current prosecutions.

27. CHARITABLE STREET COLLECTIONS

The Director of Local Services and Enforcement submitted a report with updated information on charitable street collections, in response to Members asking for additional information at the last meeting. Members were requested to comment upon the current policy and advise whether or not changes were desirable.

It was noted that a survey of local licensing authorities had shown that some authorities allowed deductions for expenses and some did not. 56 charitable street collections had been granted between 1 December 2013 and 30 November 2014 to take place on behalf of 46 different charities. 31 of the collections were within the city centre. Only two charities were granted permission to collect on more than one Saturday in a 12 month period. These were the Poppy Appeal which was granted permission to collect across the whole city from 25 October to 8 November 2014 and the Red Cross who collected on 28 December 2013 and 1 February 2014.

Members discussed the merits of allowing charities to take reasonable expenses for the collections and the merits of amending the current policy in light of the Cabinet Office's latest guidance.

RESOLVED:

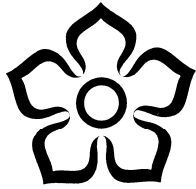
That each future application for charitable street collections applying for deductions for expenses be referred to the Licensing Sub-Committee and be considered on its individual merits and, if necessary, decide to retain the condition relating to no deductions for expenses, dis-apply the condition or replace it with a new or amended condition.

28. ANY OTHER URGENT BUSINESS

The Chair referred to the recent Alcohol Summit convened by Councillors Russell and Palmer which involved a number of stakeholders to discuss how each stakeholder can play a part in the process. He felt that Lead Public Health Officer should be invited to a future meeting to discuss how licensing conditions can contribute to the health and wellbeing objectives in the 'Closing The Gap Strategy'.

29. CLOSE OF MEETING

The meeting closed at 6.12 pm.



Leicester
City Council

WARDS AFFECTED
City Wide

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Licensing Committee

2 March 2015

Review of Drivers' Topographical Knowledge Test

Report of the Director for Local Services and Enforcement

1 Purpose of Report

- 1.1 Licensing Committee has asked for the existing topographical knowledge test to be reviewed. This report outlines the requirements of the existing test, what a revised test could cover and suggests how the introduction of a revised test could be implemented.

2 Recommendations

- 2.1 Licensing Committee is asked to:
- a) Approve the proposed revised test;
 - b) Consider whether there are any additional items to be included in the test, or whether some items need to be approved.
 - c) Approve a consultation exercise with the hackney carriage representatives and the existing private hire operators.

3 Existing Topographical Knowledge Test

- 3.1 All private hire and hackney carriage drivers are required to pass the topographical test before being licensed. The requirements that drivers are tested on at present is shown in Appendix 2.
- 3.2 The current pass mark for the test is 66%. Drivers are given four opportunities to pass the test. If they are unsuccessful, they can reapply after 12 months. The average pass rate of those drivers who turn up to take the test is currently running at 58%.

4 Proposed Revised Test

- 4.1 A revised, more extensive schedule of what taxi drivers could be expected to know is shown in Appendix 2. The schedule covers the same general areas as the existing test. These are street names, important destinations, routes and licensing law and practice. Drivers will be required to know where these destinations are, the most direct routes between them and have a knowledge of their duties and responsibilities as a taxi driver.

- 4.2 There is an opportunity, as part of the review, to change the pass mark for the test. However the effect of changing the knowledge requirement and the pass mark at the same time is difficult to gauge. It is therefore suggested that an assessment is made of the pass rate after the revised schedule is introduced and any proposal to revise the pass mark is then reported back to this Committee.
- 4.3 The existing test is carried out in a manual basis, using printed question sheets and printed maps. In order to be able to accommodate and test a more extensive schedule of knowledge, it will be necessary to move to an ICT based test, where the question, question papers and other resources are held electronically and the test is taken on a computer. The software to enable this to happen has already been procured, but implementation of the test will be contingent on being able to identify suitable hardware and accommodation for participants to take the test. There will continue to be a need for an identity check and the test to be invigilated, so remote internet based tests will not be appropriate.

5 Consultation

- 5.1 It is proposed that after this Committee has agreed the new schedule consultation is held with the hackney carriage trade representatives and private hire companies to find out their views on the content and appropriateness of the test and whether there are likely to be any consequences for their businesses. The outcome of this will then be reported back to the Committee.

6 FINANCIAL, LEGAL AND OTHER IMPLICATIONS

6.1 Financial Implications

- 6.1.1 There are no financial implications arising as a result of this report.

Colin Sharpe – Head of Finance

6.2 Legal Implications

- 6.2.1 There are no legal implications arising out of this report.

Hannah Price – Solicitor, For City Barrister and Head of Standards

7 Report Author

Mike Broster - Head of Regulatory Services

Tel 454 3041

mike.broster@leicester.gov.uk

HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' TEST

STREETS/PLACES/AREAS INCLUDED



Leicester
City Council

STREETS

Abbey Park Road	Gynsill Lane	St. Matthews Way
Albion Street	Halford Street	St. Nicholas Circle
Almond Road	High Street	Stoughton Drive
Asquith Boulevard	Hinckley Road	Stoughton Road
Aylestone Road	Horsefair Street	Swain Street
Barkby Road	Humberstone Drive	Tailby Avenue
Belgrave Gate	Humberstone Gate	Thurmaston Lane
Belvoir Street	Humberstone Lane	Upperton Road
Bishop Street	Jarrom Street	Uppingham Road
Blackbird Road	King Street	Victoria Park Road
Bowling Green Street	Knighton Church Road	Victoria Road East
Braunstone Gate	Knighton Lane East	Wakerley Road
Broad Avenue	Knighton Road	Walnut Street
Burleys Way	Krefeld Way	Waterloo Way
Cank Street	Lee Circle	Watermead Way
Carlton Street	London Road	Welford Road
Catherine Street	Loseby Lane	Western Boulevard
Charles Street	Manitoba Road	Wharf Street South
Chatham Street	Mansfield Street	Wyngate Drive
Cheapside	Melton Road	York Road
Checketts Road	Middleton Street	York Street
Churchgate	Millstone Lane	
Clarendon Park Road	Narborough Road	
Colchester Road	New Bond Street	
Coleman Road	New Parks Way	
Conduit Street	Northgate Street	
Craven Street	Parker Drive	
De Montfort Street	Peacock Lane	
Dover Street	Pocklingtons Walk	
Dysart Way	Portway	
East Park Road	Queen Street	
East Street	Queens Road	
Evington Road	Regent Road	
Fosse Road North	Rutland Street	
Friday Street	Saffron Lane	
Frog Island	Sanvey Gate	
Fullhurst Avenue	Saxby Street	
Gallowtree Gate	Scraptoft Lane	
Gartree Road	Shady Lane	
Gipsy Lane	Silver Street	
Glenfrith Way	Soar Lane	
Glenhills Boulevard	Southampton Street	
Granville Road	Southfields Drive	
Gravel Street	Spencefield Lane	
Groby Road	St James Street	

PLACES

Abbey Park
 Age Concern
 Argos
 Athena
 Bannatynes Health Club
 Castle Gardens
 Central Lending Library
 Central Post Office
 City Cinema
 Clock Tower
 Crown Court
 Curve Theatre
 De Montfort Hall
 De Montfort Square
 De Montfort University
 Fenwicks
 General Hospital
 Glenfield Hospital
 Grand Hotel (Ramada Jarvis)
 Guildhall
 Haymarket Centre
 Haymarket Theatre
 Heathley Park
 Holiday Inn Central
 H M Prison
 HMV
 Humberstone Heights Golf Club
 Jewry Wall Museum
 King Power Stadium
 Leicester Cricket Ground
 Leicester Mercury Offices
 Leicester Race Course
 Leicester Tigers Rugby Ground
 Leicester University
 Life Nightclub
 Little Theatre
 Market Place
 Moat Community College
 New Walk Centre (Council Offices)
 Newarke House Museum
 Railway Station
 Regent College
 Royal Infirmary
 Sainsburys (Belgrave)
 Spinney Hill Park
 St Margaret's Bus Station
 St. Martins Square Precinct
 Town Hall
 Victoria Park

AREAS

Anstey
 Aylestone
 Aylestone Park
 Beaumont Leys
 Belgrave
 Birstall
 Braunstone Town
 Braunstone Frith
 Clarendon Park
 Crown Hills

 Dane Hills
 Evington
 Eyres Monsell
 Glenfield
 Highfields
 Knighton
 Mowmacre Hill
 Humberstone
 New Parks
 Newfoundpool
 North Evington
 Northfields
 Rowley Fields
 South Knighton
 Stoneygate
 Thurmaston
 Thurnby Lodge
 West End
 Westcotes

Proposed Hackney Carriage and Private Hire Vehicle Driver Topographical Knowledge Test Requirements

STREETS

As existing plus:

Additional Level of Detail 1:

Aikman Avenue	Dominion Way	Henley Road
Anstey Lane	Evington Lane	Highcross Street
Barky Road	Gleneagles Avenue	Jubilee Square
Beaumont Leys Lane	Glenfield	Loughborough Road
Belgrave Road	RoadGwendolen Road	Palmerston Way
Braunstone Lane East	Halifax Drive	Soar Valley Way

**Additional Level of
Detail 2**

Aberdale Road
Ambassador Road
Armada Drive
Ashleigh Road
Avon road
Barclay Street
Barclay Street
Bedale Drive
Bennion Road
Biddle Road
Birds nest Avenue
Border Drive
Boston Road
Bowhill Grove
Broadway Road
Broughton Road
Burnmoor Street
Calver Hey Road
Cannock Street
Waterside
Cardinals Walk
Carisbroke Road
Cavendish road
Chapel Lane
Chesterfield Road
Clumber Road
Coleman Road
Copdale Road
Cordery Road
Cort Crescent
Cort Crescent
Craighill Road
Dakyn
Davenport Road
Dillon Road
Dumbleton Avenue
Elms Road
Ethel Road
Evesham Road
Evington Drive
Evington Valley Road
Fairfax Road
Featherstone Road
Fosse Raod Central
Fosse Road South

Gallards Hill
Gipsy Lane
Glebe Road
Gooding Avenue
Gooding Avenue
Goodwood Road
Grace Road
Grasmere Street
Greenhill Road
Gwendolen Road
Hallam Crescent
Hamilton Lane
Hastings Road
Heacham Drive
Headland Road
Heather Road
Helmsley Road
Henley Road
Herongate Road
Highway road
Hillsborough Road
Hilltop Road
Holmfield Avenue
Imperial Avenue
Ireton Road
Keightley Road
Kestrel Lane
Keyham Lane
Kitchener Road
Knighton Church Road
Knighton Road
Laburnham road
Lambourne Road
Landsdowne Road
Letchfield Road
Letchworth Road
Leycroft Road
Liberty Road
Lindfield Road
Lothair Road
Lutterworth Road
Maidstone Road
Main Street -
Humberstone
Manor Road
Marydene Drive
Meadwell Road
Melbourne Road

Mere Road
Milligan Road
Monmouth Drive
Nedham Street
Netherhall Road
New Romney Crescent
Nursery Road
Old Church Street
Parkstone Road
Pasley Road
Percy Road
Peters Drive
Pool Road
Prestwold Road
Putney Road
Ratcliffe Road
Ravenhurst Road
Sandhills Avenue
Scudamore Road
Shackerdale Road
Shanklin Drive
Southernhey Road
St Ives Road
St Peters Road
St Saviours Road
Stanley Road
Stokes Drive
Stonesby Avenue
Stoughton Drive
Tennis Court Drive
Tetuan Road
The Broadway
The Fairway
Thurcaston Road
Thurlington Road
Thurncourt Road
Trenant Road
University Road
Westcotes Drive
Westcotes Drive
Westfield Road
Whitehall Road
Whitteney Drive
Wigston Lane
Windley Road
Winstanley Drive
Woodshaw Rise
Wycombe Road

AREAS

As existing

PLACES

As existing plus

Western Park
Y Theatre
New Walk Museum
Charles Street Bus Station
National Space Science Centre
Phoenix Cinema
King Richard III Visitors Centre
O2 Academy
Belgrave Hall and Gardens
Mecca Bingo
Wygston's House Museum
The Magazine
University of Leicester Botanic Gardens
Abbey Pumping Station
Leicester Cathedral
Fosse Park
Bradgate Park
City Hall

Hotels

Campanile Hotel
Castle Park Hotel
City Rooms
College Court
Days Inn, Leicester Forest East Services
Holiday Inn Express, Raw Dykes Road
Holiday Inn, St Nicholas Circle
Hotel Maiyango
Ibis, Leicester Forest East Services
Ibis, St Georges Way
Leicester Hilton, Junction 21
Marriot Hotel, Grove Park
Mercure Grand Hotel, Granby Street
Premier Inn, Braunstone Lane East
Premier, Inn London Road
Ramada Encore, Charles Street
Regency
Sky Plaza Hotel
Stoneycroft Hotel

TOWNS & VILLLAGES

Thurcaston
Loughborough
Quorn
Mountsorrel
Rothley
Cropston
Markfield
Anstey
Grobby
Ratby
Desford
Peckleton
Leicester Forest East
Braunstone Town
Enderby
Thurlaston
Huncote
Narborough
Glen Parva
Blaby
Croft
Countesthorpe
Cosby
Wigston
Oadby
Great Glen
Fleckney
Market Harborough
Thurnby
Coalville
Scraptoft
Barkby
Birstall
Syston
Melton
Hinckley
Lutterworth
Barwell
Earl Shilton

ROUTES

The shortest route in normal road conditions between any of the places or towns and villages in this schedule

LICENSING LAW & PRACTICE

The following areas:

- The need for driver, vehicle and operator licences from the same licensing authority
- The difference between hackneys and PHVs
 - Flimpering
 - Use of ranks
 - Fares (Including use of meters)
- Keeping records
- Implications of operating outside city boundary
- Bus lanes
- Assistance dogs and formal medical exemption
- Accessibility
- Equality
- Protecting children and vulnerable adults and the need to report safeguarding concerns
- When a fare can be refused
- Drivers' hours
- Lost property
- Protecting themselves
 - CCTV
 - Not carrying weapons
 - Not locking passengers in vehicle
 - Not asking for fares up front or payment in kind
- Declaring convictions
- Keeping vehicle in good condition
 - 6 monthly checks
 - Door signs and plates
 - Declaring accident damage / temp change of vehicle
- Compliance and monitoring
 - Powers of police and licensing authority officers
- Customer care and promoting the city

