

MINUTES OF CABINET

6TH JUNE 2016

PRESENT:

Councillors Stokes (Chairman), Leigh Hunt, Mrs Parker, Ms Robbins and Mrs Timms.

Councillors Cade, Cranham, Ms Edwards, Miss Lawrence, Roodhouse, Mrs O'Rourke, Sandison were also in attendance.

1. MINUTES

The minutes of the meeting held on 4th April 2016 were approved and signed by the Chairman.

2. DECLARATIONS OF INTEREST

Item 5 of Part 1 – Approval of Community Grants 2016/17 – Councillors Ms Edwards, Miss Lawrence, Mrs O'Rourke and Roodhouse (non-pecuniary interests as defined by the Council's Code of Conduct for Councillors by virtue of their involvement with organisations listed in the report).

Item 1 of Part 2 – Restructure of Democratic and Scrutiny Services team – Mrs C Waleczek – officer interest by virtue of being an employee within the Democratic Services team.

3. VOTE OF THANKS TO RETIRING MEMBERS OF CABINET

The Leader of the Council wished to place on record his thanks and appreciation to Councillors Poole and Helen Taylor for their work and commitment during their service on Cabinet.

4. QUESTION TIME

The following question was received in accordance with the Council's public question time procedure. Mr Bradshaw and Ms J Wilson were in attendance at the meeting.

(a) Ms J Wilson, on behalf of Mr M Bradshaw, asked the following question of the Environment and Public Realm Portfolio Holder, Councillor Mrs Parker:

“You may be aware that at the recent Licensing Committee meeting, the Committee passed the following resolution:

RESOLVED THAT – IT BE RECOMMENDED TO CABINET THAT paragraph 6.5.4 of the Licensing Policy for Hackney Carriages and Private Hire Vehicles (April 2009) be amended to require EU driving licence holders to convert their licence to a UK driving licence before a dual driving licence is issued.

Non-UK drivers cannot convert their licence to a UK one until they have lived in the UK for 185 days (6 months), so this proposal effectively bars newly arrived EU drivers from practising their chosen profession for 6 months. I believe this decision is contrary to EU, Human Rights and discrimination law (amongst other things) and would like to ask the following question:

Where the holder of an EU drivers licence (which has legal parity with a UK drivers licence), has made an application for a dual PH/Hackney Carriage licence, has paid all the necessary fees and passed all the necessary tests, has a clear criminal record both from their home country and the UK, a clear driving record from their home country up to the date when they arrived in the UK three months ago, and a clear DVLA check, where is the evidence to show that they are not a "fit and proper person" to be granted that licence?"

Councillor Stokes, Leader of the Council (on behalf of the Environment and Public Realm Portfolio Holder), replied as follows:

"This topic has been the subject of extensive consultation with the trade and Mr Bradshaw has had the benefit of thorough and detailed replies to the comments and concerns he raises through all of the stages that this policy has gone through.

The Licensing and Safety Committee was made fully aware of Mr Bradshaw's comments before determining to recommend to Cabinet the proposed policy. For the purposes of openness and transparency, the issues raised in this question have been included in the report to Cabinet (agenda item 6) specifically page 5 and appendix 1.

The purpose of regulating drivers of Hackney Carriages and Private Hire Vehicles is to ensure public safety. This proposed policy is part of the assessment of any driver being a "fit and proper" person to be licensed and therefore permitted to transport potentially vulnerable members of the public."

Corporate Resources Portfolio

5. APPOINTMENTS TO WORKING PARTIES 2016/17

Cabinet considered the report of the Corporate Resources Portfolio Holder (Part 1 – agenda item 4) concerning appointments to working parties for the 2016/17 municipal year.

RESOLVED THAT -

(1) the Working Parties listed in the report be re-constituted for the 2016/17 municipal year; and

(2) a report be submitted to Cabinet on 27th June to confirm the membership of each Working Party for the current municipal year.

Communities and Homes Portfolio

6. APPROVAL OF COMMUNITY GRANTS 2016/17

Cabinet considered the report of the Communities and Homes Portfolio Holder (Part 1 – agenda item 5) concerning the approval of community grants for 2016/17 which had been recommended by the Grants Working Party.

RESOLVED THAT – the recommendations made by the Grants Working Party to allocate the funding for the 2016/17 community grants, as detailed in Appendices 1-6 of the report, be approved.

Note: this decision is not subject to call-in.

Item considered en bloc

7. LICENSING POLICY FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

Cabinet considered the report of the Environment and Public Realm Portfolio Holder (Part 1 – agenda item 6) concerning an amendment to the Council's Licensing Policy in relation to EU driving licence holders.

RESOLVED THAT – paragraph 6.5.4 of the Licensing Policy for Hackney Carriages and Private Hire Vehicles (April 2009) be amended to require EU driving licence holders to convert their licence to a UK driving licence before a dual driving licence is issued.

8. MOTION TO EXCLUDE THE PUBLIC UNDER SECTION 100(A)(4) OF THE LOCAL GOVERNMENT ACT 1972

RESOLVED THAT - under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involved the likely disclosure of information defined in paragraphs 1 and 3 of Schedule 12A of the Act.

Corporate Resources Portfolio

9. RESTRUCTURING OF THE DEMOCRATIC AND SCRUTINY SERVICES TEAM

Cabinet considered the private report of the Executive Director (Part 2 – agenda item 1) concerning the restructuring of the Democratic and Scrutiny Services team.

RESOLVED THAT – the restructuring proposals for the Democratic and Scrutiny Services team with the corresponding financial savings detailed in the report be approved.

Items considered en bloc

10. EXEMPTIONS TO CONTRACTS STANDING ORDERS TO PROCURE ADVICE ABOUT THE MASTER-PLANNING OF STRATEGIC ALLOCATIONS PROPOSED IN THE EMERGING LOCAL PLAN

Cabinet considered the private report of the Growth and Investment Portfolio Holder (Part 2 – agenda item 2) concerning an exemption to Contract Standing Orders agreed by the Head of Resources, Monitoring Officer and Deputy Monitoring Officer on 9th May 2016.

RESOLVED THAT - the exemption to Contracts Standing Orders approved by the Head of Resources, Monitoring Officer and Deputy Monitoring Officer on 9th May 2016 be noted.

Note: this decision is not subject to call-in.

CHAIRMAN