

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **General Purposes Committee** held in the Castle House, Great North Road, Newark, NG24 1BY on Thursday, 29 February 2024 at 6.00 pm.

PRESENT: Councillor J Hall (Chair)
Councillor L Tift (Vice-Chair)

Councillor N Allen, Councillor R Cozens, Councillor R Jackson, Councillor S Michael, Councillor D Moore, Councillor S Saddington, Councillor P Taylor, Councillor T Wendels and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor A Brazier, Councillor L Brazier, Councillor D Darby and Councillor K Roberts

20 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

21 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

NOTED that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

22 MINUTES OF THE MEETING HELD ON 30 NOVEMBER 2023

AGREED that the Minutes of the meeting held 30 November 2023 were a correct record and signed by the Chairman.

23 FORWARD PLAN - MARCH 2024 TO FEBRUARY 2025

NOTED the General Purposes Committee's Forward Plan from 1 March 2024 to 28 February 2025.

24 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

The Committee considered the report of the Elections & Democratic Services Business Manager which sought to present representations received during the Review of Polling Districts and Polling Places. The report also sought Committee's onward recommendation to full Council for approval.

The report set out the background to the review, noting that it was a requirement of Section 16 of the Electoral Administration Act 2006 in that all local authorities must undertake a compulsory review of their polling districts and polling places for UK parliamentary constituencies at least once every five years and prior to a parliamentary election, with the Council's last review being noted as having taken place in 2019. In presenting the report the Business Manager highlighted three main areas for consideration: Bulcote; Winkburn; and Magnus Church of England Academy, expanding on what was contained within the report and the current situation.

In considering the report a Member commented that he was grateful for the update in relation to the situation in Bulcote. He welcomed the ongoing efforts to find a suitable polling station within the parish area noting that the Chair of Bulcote Parish Council was confident that a venue could be found. He added that the proposal in the report to direct voters to Lowdham would mean having to travel a considerable distance. It was suggested that a possible alternative venue may be the new care home facility in the village. The Business Manager thanked Members for their comments and advised that alternative venues would be considered.

AGREED (unanimously) that the proposals, as set out in the Appendix to the report, be recommended to full Council for approval.

25 REQUEST TO REMOVE REFERENCE TO TRAILERS IN THE HC/PH VEHICLES POLICY

The Committee considered the report of the Environmental Health & Licensing Manager which sought Members approval for a consultation on the removal of the section relating to trailers in the current version of the Hackney Carriage & Private Hire Operational Policy.

The report set out the background to the proposal to remove reference to trailers from the Operational Policy, advising that the Council's garage was unable to provide the service of inspecting and appropriately testing a trailer.

In considering the report, Members noted that the use of a trailer on a licensed hackney carriage or private hire vehicle needed to be safe and roadworthy, suggesting that, if possible, they should be badged. It was further suggested that if the Council were unable to carry out the inspection, would an alternative be to state that the use of trailers was permitted but that they must comply with the current road regulations.

In noting the garage's inability to carry out the inspections, a Member queried whether it was possible for a further report to be presented to Committee, detailing what was required in order to facilitate such an inspection. It was suggested that similar to licensed vehicles, could one criteria for use be the age of the trailer.

In response to whether the Council could accept authorisation from an alternative garage, the Environmental Health & Licensing Manager advised that this would require a more complex solution with a possible tender processing being undertaken to choose a suitable garage.

In noting that Section 19 of the Policy was creating the current situation, a Member queried whether its removal would resolve the issue. The Environmental Health & Licensing Manager advised that its removal would not prevent the use of a trailer by licensed vehicles.

Members agreed that they required additional detailed information in order to make an informed decision on the proposal to remove the wording from the Policy. They requested the Environmental Health & Licensing Manager research what other local authorities did and present an alternative approach to the Committee for consideration. They also requested that information be provided as to what the requirements were for an individual using a trailer to ensure its roadworthiness. They also asked to be included a definitive description of what a trailer was.

AGREED (unanimously) that:

- a) the report be noted; and
- b) a further report be presented to a future committee, detailing:
 - i. other local authorities' policies in relation to the use of trailers;
 - ii. a definitive description of what a trailer was;
 - iii. a proposed alternative to the removal of the need for the inspection of trailers within the current Hackney Carriage & Private Hire Operational Policy; and
 - iv. what the requirements were for an individual using a trailer to ensure its roadworthiness.

26 DEPARTMENT OF TRANSPORT TAXI & PH BEST PRACTICE GUIDANCE

The Committee considered the report of the Senior Licensing Officer which sought to update Members on the changes to the Department for Transport's Best Practice Guidance.

It was reported that the guidance included several updates. These were detailed within the report with a comparison of the Council's current Taxi Policy. It was also reported that the guidance was not statutory and therefore the Council were not obliged to make changes to the existing Policy or to adopt the guidance as published.

In considering the report a Member raised the issue of carrying children in licensed vehicles and sought clarity on what the correct definition was of a child. He also suggested that the Newark & Sherwood District Council's Policy should be amended to ensure reference was made to the carrying of dogs in licensed vehicles.

In response to the issue of carrying children, the Council's Principal Legal Officer, who was in attendance at the meeting, advised that there were specific exemptions in relation to children being transported in a taxi. Members expressed their concern that the Department of Transport's Guidance did not require the use of a suitable car seat and queried whether this could be included in the Council's Policy. The Principal Legal Officer advised that she would provide further clarification to Members.

In relation to the carrying of dogs in licensed vehicles, the Senior Licensing Officer advised that whilst non-assistance dogs were required to be restrained in a vehicle, assistance dogs were exempt from that requirement. She also noted that a licensed driver could refuse to carry a non-assistance dog.

AGREED (unanimously) that the contents of the revised Best Practice Guidance be noted.

27 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report of the Environmental Health & Licensing Manager which sought to provide Members with information as to the activity and performance of the Licensing Team between October and December 2023.

AGREED (unanimously) that the report be noted.

28 MINUTES OF HACKNEY CARRIAGE & PRIVATE HIRE DRIVER'S SUB-COMMITTEES HELD ON 18 DECEMBER 2023

AGREED (unanimously) that the Exempt Minutes of the Hackney Carriage & Private Hire Driver's Sub-Committee held on 18 December 2023 be noted.

Meeting closed at 6.43 pm.

Chair