

Minutes

Licensing Committee

9th August 2007



Present:

Councillors	Present	Councillors	Present
M J Banthorpe (Chairman)	Yes	M Lynch	Apologies
K E Bigden	Apologies	T McArdle	Apologies
J C Collar	Yes (until 8.55pm)	A M Meyer	Yes
J G J Elliott	Yes	Mrs J A Pell	Yes
J H G Finbow	Yes	D E A Rice	Yes (until 8.35pm)
Mrs S A Howell	Yes	A F Shelton	Apologies
P J Hughes	No	F Swallow	Yes
E R Lynch	Yes		

Action by

9 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

10 **MINUTES**

DECISION: That the minutes of the meeting of the Licensing Committee held on 6th June 2007 be approved as a correct record and signed by the Chairman.

11 **QUESTION TIME**

There were no questions asked or statements made.

12 **PRIVATE HIRE AND HACKNEY CARRIAGE – CONDITIONS AND POLICY REVIEW**

INFORMATION: Mr Lee Crabb, Chief Environmental Health Officer, gave a presentation on policies and conditions relating to private hire and hackney carriage vehicles, and advised that these issues required updating. It is proposed to incorporate these with guidance notes, schedule of fees, byelaws etc. to create one source of information for Private Hire and Hackney Carriages.

The following issues were discussed

- Age of vehicles. It was proposed that the Council adopt a policy where the maximum age of a Hackney Carriage and Private Hire vehicle is set at five years. It was noted that the licensing section had a problem recently when a vehicle was five years & five months of age but had been fully adapted for disabled use. It was also noted that the guidance varies across different Authorities. Members indicated that they would wish to stick to the 5 years or less policy with exemptions for vehicles that have been adapted for disabled use.

Members considered that the Taxi Association Liaison Panel should promote vehicles with disabled access, and with Government Regulations requiring all Hackney Carriage and Private Hire Vehicles to be wheelchair accessible by 2012, operators with a fleet of approximately eight vehicles should be encouraged to buy more new vehicles with disabled access.

- Colour of vehicle livery. Members expressed differing views to whether the livery of vehicles should be identified by one colour across the authority. Some Members preferred the uniformity of one colour and considered it would protect the legitimate operator from the unlicensed drivers of Hackney Carriages, whereas there was also the alternative opinion that as the Braintree District was predominantly rural the colour mix of livery was acceptable.
- Display of National flags, Christmas decorations etc. Members stated that this was an issue that needed careful consideration, i.e. if it detracts the driver, offends the customer, and whether the item is safe and does not obstruct windows or the driver's vision. Recommended for discussion at the Taxi Association Liaison Panel and with the taxi trade.

Licensing Officers

- New drivers to pass a knowledge test. This would be on geographical knowledge and Officers agreed to provide further guidance. Following further discussion it was agreed that a knowledge test would not be required for new drivers.
- Medical Examination. Members were advised that the current requirement for drivers is for a Group 1 medical examination, and they were asked to consider if a Group 2 medical examination was more appropriate. Members supported the Group 2 examination.
- Dress code for licensed drivers. The proposal for the following dress code was supported and would be explored further by officers – sensible trousers, respectable shorts (not football shorts), sensible chest covering, no article on the face, and sensible footwear.
- Deregulation. Members requested a full report on this topic, including previous history, any record of complaints/surveys, proposals for and reasons why the Council wish to deregulate the Hackney Carriages. It was noted that a driver who does not require his licence should return it to the Council, and not forward it to another driver.
- Penalty Points Scheme. The Drivers Panel considers reports on drivers who have received Penalty Points on their driving licence, and some authorities had extended the points system to cover other varying offences. The Committee considered a proposed raft of issues, i.e. insurance compliance/MOT failure, smoking in the vehicle etc.. When 12 or more points had been accrued, the driver would be referred to the Drivers Panel. Members stated the proposals had merit and requested Officers bring a more detailed report to the Committee for consideration.

Lee Crabb

During this item the following issue was also raised

- Taxis in High Street, Braintree. The issue of taxis being unable to access the High Street after picking up their fare was discussed. The Road Traffic Orders made in 2000 and 2006 were referred to, and Officers advised that guidance was soon to

DECISION:

- (1) That the Chief Environmental Health Officer incorporates the views and comments of Members into reports/draft booklet and brings this to future meetings of the Committee for approval.
- (2) That all new additions to the policy will be passed to the Taxi Association Liaison Panel as a matter of course for consultation.

13 **GO SKILLS DVD – PROMOTING GREATER AWARENESS OF PASSENGER NEEDS**

The Committee viewed a DVD that is used for training purposes to drivers of Hackney Carriages and Private Hire Vehicles, to assist a person with disabilities to use their vehicle. Members also completed the short questionnaire that drivers have to pass, before their licence is renewed. Members requested that question two be reworded as it could be considered to be misleading. It was agreed that the DVD and Questions should be introduced within the next couple of months.

Some Members reiterated the concerns raised at meetings of the Taxi Association Liaison Panel on the health & safety implications for drivers, or even drivers themselves who had a disability, in assisting a person with disabilities, i.e. wheelchair user, to use their vehicle. With over 800 different types of wheelchair it was considered the owner of the wheelchairs responsibility to be aware of its size, and to inform the person taking the taxi booking of the relevant details.

14 **OTHER BUSINESS**

The Chairman introduced three items of other business.

- Premises Licences displayed on the website. It was noted that the Licensing Section are unable to provide details on the Council's website. Members thought that a system not unlike the on-line planning system would be extremely useful. It was noted that officers are investigating software to enable applications to be made on-line but this was proving costly, as the national system was not compatible with the Council's system. Officers will continue to pursue this issue.
- NVQ's for Taxi Drivers. Bill Shirley of aba Training was welcomed to the meeting and he gave a verbal presentation on an NVQ qualification for all taxi drivers on disabilities and passenger transport. Funding has been received from the Learning Skills Council to provide this training free of charge for drivers who complete the course.
This training provision has been available in the Chelmsford, Southend and Rochford area over the past three years, and has been extended to Witham and Braintree. The training consists of an 11-week programme (33 hours total), receives assessment, and results with an NVQ Level 2 Road Passenger Transport qualification.
Mr Shirley also displayed a DVD, and indicated that the training is given through workshops and assessments, and covers issues of customer service, disabilities, safe handling and health & safety. Although the qualification is not compulsory at present, it will become compulsory for coach & bus drivers in 2008.

The Chairman thanked Mr Shirley for his report.

- Licensing Enforcement Study. Members were reminded to provide their written views on this topic by 7th September 2007, to the Scrutiny Manager.

The meeting commenced at 7.15pm and closed at 9.00pm.

M J BANTHORPE
(Chairman)