

Runnymede Borough Council

REGULATORY COMMITTEE

27 June 2017 at 7.37pm

Members of the Committee present: Councillors Mrs J Gracey (Chairman), D W Parr (Vice-Chairman) Mrs D V Clarke, Mrs M T Harnden and P S Sohi.

Members of the Committee absent: None.

100 FIRE PRECAUTIONS

The Committee noted the Fire Precautions.

101 MINUTES

The Minutes of the meeting of the Committee held on 5 April 2017 were confirmed and signed as a correct record.

102 2017 ANNUAL REPORT

The Committee noted the annual report on Hackney Carriage and Private Hire Licensing for 2016/17.

Officers advised that the number of Hackney Carriage drivers had remained stable at 147 for 2016/17 whilst the number of vehicles had fallen to 130. There were slightly fewer Private Hire Drivers (81) and the number of vehicles had fallen as a consequence to 78 (86 in 2015/16). The number of Private Hire Operators was 22 which was consistent with previous years.

The Committee noted statistics with regard to the number of vehicles licensed and the ratio between their age and mileage rates.

In respect of Drivers, Members were informed that the 'reminder service' whereby Officers reminded drivers of important due dates for medicals, DBS and DVLA renewals etc was a useful way of reducing the number of suspensions if drivers allowed any of their documents to lapse. Five drivers were suspended in 2016/17; dealt with under delegated authority. Members were pleased to note that no new or renewal driver applications had been refused in the last year. One vehicle had been suspended owing to a sub-standard tyre which had been swiftly replaced and the license re-instated.

Officers gave a summary of the way the Knowledge Test had operated in 2016/17. Members were assured that it was updated regularly and was considered to be a fair expectation of the knowledge required to be a driver in the borough.

Officers confirmed that the various methods of communication with the trade (webpages, text, emails and letters) continued to be useful and that the Taxi Forums gave drivers and operators an opportunity to discuss issues that affected the trade. Officers emphasised their support of the trade, acknowledging that changes in technology meant that they had to work within existing legislation and currently had little enforcement capability to tackle internet based operators. Despite this, Officers had been engaged in enforcement activities throughout the year, including a joint operation with Transport for London. Members noted that 17 complaints about Runnymede drivers were received in 2016/17. These were time

consuming and Officers were unable to recoup the cost of dealing with enforcement from the taxi licensing fees.

Officers advised that the taxi fees and Hackney Carriage fares would be reviewed in November and the annual fee setting report submitted accordingly. Hackney carriage drivers would be consulted about whether they wished for an increase in fares in due course.

The Committee noted there was no change with regard to progress with the Taxi and Private Hire Reform Bill. Officers were assessing the work which would be required as a result of the Immigration Act 2016, the Equality Act; access for wheelchair users to Hackney Carriage and Private Hire vehicles and the Policing and Crime Act 2017 regarding the Protection of Children. In respect of issuing 1 year's duration, instead of the normal 3 and 5 year driver and operator licences, Officers took each case on its merits. In 2016/17 99 driver applications were received, of which 28 were requests for a licence for 1 year.

The Committee was pleased to note that the updated and comprehensive Hackney Carriage and Private Hire policy, introduced in March 2017, was working well.

Members asked for progress with the implementation of 'pre-booked only' signs for Private Hire vehicles. Officers advised that they would be consulting with the trade and that a meeting was arranged for 4 July 2017 to gather their views on the size and lettering of the signs as this was unspecified in the policy. Officers would need to decide how to roll out the requirement and advised that there was some opposition from sectors of the trade whose business models were not necessarily compatible with the proposals. It was agreed that Officers would report back on the consultation with Private Hire Operators regarding the implementation of this policy and the proposed charging structure in due course.

The Committee was alerted to future developments which might be brought to its attention during the coming year. For example, whether there should be an English language speaking assessment as part of the application process, training for drivers and operators on recognising Child Sexual Exploitation, exploration of emission controls and potential changes to the Council's convictions policy to bring it into line with a Surrey wide policy.

The modest number of staff dealing with Taxi Licensing was noted and Officers were thanked for their achievements during the year.

103 DRAFT CHARITY COLLECTIONS POLICY 2017 – 2020

The Committee's endorsement of a new Charity Collections policy was sought, prior to a public consultation exercise. The results of the consultation and any subsequent amendments to the policy would be considered in the autumn and the policy submitted for formal adoption in November 2017.

Officers advised that licensing Charity Collections was a discreet area, which, in the absence of updated statutory regulations, was largely self-regulating. However, the Council played an important part in licensing legitimate organisations to raise much needed funds and help safeguard the public from unauthorised collections and too many appeals taking place.

The Committee noted that the new policy brought together existing practice and explained the Council's policy objectives and processes in a transparent way. The policy was arranged in 12 sections and Officers summarised the main changes in each.

The overarching aim of the policy was to facilitate legitimate collections aligned to the charitable purposes set out in primary legislation and reduce excessive and/or inappropriate appeals. Officers sought to ensure that applicants were treated fairly and consistently. The

policy defined where charity collections could take place and introduced a section on no cold calling. The application process was explained. This also set out the information which Officers required and took into account before a licence was issued. This included supplementary guidance for House to House commercial clothing collections and how these were organised alongside the many exempt collections carried out by or on behalf of charities who held a National Exemption Order issued by the Department for Culture, Media and Sport (DCMS).

Officers highlighted the new option of introducing a discretionary appeals process involving the Regulatory Committee for Street Collections. There was no statutory right of appeal. However, Members agreed that the existing structure, which was an informal appeal to the Head of Law and Governance if an application was refused was proportionate in light of the low number of anticipated appeals. This also reflected the need to keep costs low, as charity collections attracted no income. It was agreed to remove section 7.2 of the draft policy and amend section 7.1 accordingly.

Members noted that enforcement was carried out within limited resources and approved the new reference to the Fundraising Regulator's Code of Fundraising Practice which was currently being updated and to which the Committee had recently endorsed the Council's response.

The Committee recognised the link between charity collections and the section on Supporting Local People in the Council's Corporate Business Plan. The Equality implications and the Council's Public Sector Equality Duty were also noted.

The Committee was content to endorse the new policy and looked forward to the results of the consultation later in the year.

RESOLVED that –

the draft Charity Collections Policy 2017 – 2020, as amended, to replace 'formal' with 'statutory' in section 7.1 and the removal of section 7.2 be approved, for a public consultation exercise of 12 weeks.

Chairman

(The meeting ended at 7.55pm)