

Runnymede Borough Council

REGULATORY COMMITTEE

26 September 2017 at 7.30pm

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

Members of the Committee absent: Councillor Mrs D V Clarke.

241 FIRE PRECAUTIONS

The Committee noted the Fire Precautions.

242 MINUTES

The Minutes of the meeting of the Committee held on 27 June 2017 were confirmed and signed as a correct record.

243 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs D V Clarke.

244 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY – PROPOSED AMENDMENTS TO THE CONVICTIONS POLICY AND THE INTRODUCTION OF SAFEGUARDING TRAINING FOR DRIVERS AND OPERATORS

The Committee's approval was sought to make amendments to the Convictions Policy contained within the main Hackney Carriage and Private Hire Licensing Policy that was adopted in March 2017.

Officers reported that they had been part of a Surrey wide group of Licensing and Legal Officers working together with the Surrey Safeguarding Children Board (SCCB) and its partners to produce a Child Sexual Exploitation (CSE) Strategy and Action Plan, to develop a co-ordinated response to CSE across Surrey.

One of the outcomes of this work was creating a convictions policy which, subject to consultation, would be adopted by all the local authorities in Surrey. The aim was to improve public safety by implementing a consistent approach; one which would prevent someone who had been refused a licence in one authority who deemed them not 'fit and proper' then applying to another authority with a less stringent policy and being granted a licence.

The proposed Surrey wide convictions policy was modelled on one produced by the Local Government Association. Runnymede's existing policy was broadly similar and Members were assured there would be no degradation of standards by adopting the new policy. One substantive difference was the number of years that a conviction remained relevant was longer in the proposed policy which was more stringent than the existing policy. Members noted that treating each case on its individual merits would continue and Officers would use their judgement when consideration was given to departing from the policy.

The other proposed amendment which would also be subject to public consultation was the introduction of mandatory training on CSE for all drivers and operators. This was already part of Runnymede's policy. Training would take the form of an online assessment, in a

controlled environment; such as the IT Training room at the Civic Centre, where assistance could also be provided if an examinee's first language was not English or they were not particularly computer literate. This would also ensure that the person taking the test was the driver in question. The training package had been produced by Barnardo's charity and was well regarded.

Officers noted the Committee's request that training be extended to staff working in Private Hire Operator's offices. This would be fed back to Tandridge Council who were hosting the consultation exercise, the results of which would be considered by the Surrey wide group and fed back to respective councils in the new year.

It was hoped that contributions from the boroughs and County Council would mean no cost to existing drivers to undertake the training. Members agreed that giving drivers and operators a period of 1 year to take the training was sufficient.

The Committee agreed that it would be appropriate for Members to take the training as well and when available this would be arranged. It was also agreed that high profile communication of the consultation was necessary.

Members suggested that the Surrey wide work was a good opportunity to pursue the creation of a national database of Hackney Carriage and Private Hire drivers. Introducing the county wide convictions policy would go some way to achieving this through the existing information sharing protocol but it was not a means of cross matching driver details owing to Data Protection requirements.

Members noted that the introduction of these amendments had positive implications for ethnicity and age and promoted public safety which remained the Council's priority.

RESOLVED that –

- i) the amended version of the Hackney Carriage and Private Hire Licensing Policy in relation to convictions and CSE training be approved for public consultation;**
- ii) the results of the consultation be brought back to this Committee in January 2018 for further discussion; and**
- iii) the amendment to the Hackney Carriage and Private Hire Licensing Policy in relation to CSE and safeguarding training be approved**

245 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY – PLATE EXEMPTION

The Committee's approval was sought to address two issues that had arisen as a result of the new Hackney Carriage and Private Hire Licensing Policy which affected a small number of Operators with plate exempt vehicles.

The Committee was advised that greater clarity was required with regard to the conditions relating to tinted windows. Members noted that current legislation allowed a degree of tint on the windscreen and front side windows and there was no legal limit for the rear side windows or screen. The existing policy specified that the front side windows and windscreen had to be clear which went beyond the legal requirement. Officers had reflected on this and considered the condition should be clarified. This would also be helpful to the trade and it was not thought it would have an adverse effect on public safety.

Members were informed that some Operators had reported they were losing business because of the existing requirement to only use plate exempt vehicles for contract work. By allowing non-contract work these operators could compete better in the market. It was

clarified that plate exempt vehicles do display a sticker on the front windscreen and the proposal was to allow them to fix a magnetic plate to the vehicle when required and then carry out non-contract work. Members agreed this was a positive move and showed flexibility.

RESOLVED that:-

the following amendments to the Hackney Carriage and Private Hire Licensing Policy in relation to plate exempt vehicles be approved:-

- i) 'The windscreen and front side windows must meet current legislation while the rear side windows and screen can be fitted with tinted glass to any degree of tint including privacy glass'; and***
- ii) 'plate exempt vehicles be permitted to display a magnetic plate when required and then carry out any non-account work if the demand arises'***

246 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY – PRE-BOOKED ONLY SIGNAGE

The Committee's approval was sought to amend the conditions with regard to Private Hire vehicle signage to replace the words 'private hire' with 'pre-booked only'.

A meeting had taken place with Private Hire Operators in July where the implementation of the condition in the existing policy to require vehicles to display a sign saying 'private hire pre-booked only' was discussed.

The Operators suggested it would be cheaper to use a magnetic sign saying 'pre-booked only' which could be incorporated in the vehicle's existing magnetic sign which would be introduced as and when the existing signs needed replacing but should be completed no later than 31 December 2017. For those operators without magnetic signs another method such as a sticker would be needed.

Officers advised that the phrase 'private hire' did not necessarily convey to the public the requirement that such vehicles had to be booked in advance and not hailed like a Hackney Carriage. The phrase 'pre-booked only' was considered unambiguous.

Officers would assess the signs prior to use to make sure that the information regarding 'pre-booked only' was sufficiently distinctive and monitor vehicles for compliance at regular intervals.

It was recognised that for some vehicles engaged in private hire work the phrase pre-booked only would be inappropriate. For example vehicles used in the funeral trade. Therefore it was sensible to allow operators to have two vehicles that could be exempt from this requirement.

The Committee was content for these amendments to be made which supported local business and helped the trade compete in the modern market and reduce costs.

RESOLVED that –

the amendments to the Hackney Carriage and Private Hire Licensing Policy as set out in paragraph 3.1 of the report in relation to pre-booked signage and set out below, be approved:

'An adhesive or magnetic sign must be placed on both front doors of private hire vehicles containing the wording "Pre-Booked Only". This can be on the

same sign as used by the operator to advertise their business or a separate sign. It must be printed in such a way as to make the wording 'Pre-Booked Only' clear, legible and distinguishable from any other signage. All such signage must be approved by the Licensing authority prior to use.

Operators can with permission from the Licensing authority have a maximum of two vehicles registered as exempt from this requirement, where these vehicles undertake specialist pre bookings where this signage may not be appropriate.'

Chairman

(The meeting ended at 8.10pm)