

Runnymede Borough Council

REGULATORY COMMITTEE

20 March 2019 at 8.46pm

Members of the Committee present: Councillors Mrs J Gracey (Chairman), S A Lewis (Vice-Chairman), D A Cotty, Mrs M T Harnden and Ms A Shepperdson.

Members of the Committee absent: None.

544. FIRE PRECAUTIONS

The Chairman advised those present of the procedures to be followed in the event of a fire or other emergency requiring the Council Chamber to be evacuated.

545. MINUTES

The Minutes of the meeting of the Committee held on 13 November 2018 were confirmed and signed as a correct record.

546. STATUTORY GUIDANCE CONSULTATION

The Committee was advised of a recent consultation by the Department for Transport on statutory guidance for hackney carriage and private hire driver and vehicle licensing.

The Government had recognised the need to standardise the approach to licensing drivers in the context of the 'fit and proper' test which it was acknowledged was applied inconsistently between licensing authorities across the country and had resulted in a number of high profile cases particularly around the area of safeguarding.

Officers reported that the consultation was a lengthy document but that it had been studied in detail, especially the proposed statutory guidance itself and the response paper. The consultation had also been the subject of a detailed impact assessment which was noted.

The Committee agreed that statutory guidance was needed to raise standards nationally and address concerns about safety. Officers confirmed that some of the proposed guidance was already operated in the borough such as Private Hire Operators being subject to a basic DBS check and the requirement for drivers to undertake safeguarding training. Other recommendations already being introduced included joint enforcement authorisation arrangements across authorities in Surrey.

Officers had drafted responses to the 34 questions in the consultation paper which was tabled at the meeting and Officers drew particular attention to the proposed guidance which sought to improve the safety of the public. The issue of CCTV in taxis was discussed, noting that concerns regarding Data Protection and privacy would need to be addressed should statutory guidance be recommended in this area. Officers had suggested that further research be undertaken regarding the proposals about language proficiency to take account of regional dialects and had stressed the need to deal with applications and renewals on a case by case basis where other licensing decisions were relevant.

Officers had publicised the consultation widely to all Councillors, Royal Holloway University of London, the Police and to the taxi trade, all of whom were encouraged to participate. It had also been raised at the last taxi forum.

Officers were asked to send a reminder to the taxi trade about the consultation with the offer of assistance should they need it and Members were encouraged to feedback any observations on the consultation to Officers and copying in the whole Committee.

547. NATIONAL REGISTER OF TAXI AND PRIVATE HIRE VEHICLE LICENCE REVOCATIONS AND REFUSALS NR3

The Committee was invited to adopt the National Register of Taxi Licence Revocations and Refusals (known as NR3) and guidance produced by the Local Government Association and the National Anti-Fraud Network. If approved, this would necessitate updating the Council's Hackney Carriage and Private Hire Policy.

Members were advised that the NR3 was aimed at assisting local authorities to identify applicants for drivers' licences who might not pass the 'fit and proper' test because they had been refused a licence or had their licence revoked by another local authority but had not declared this on application for a licence with the next authority. Local authorities who signed up to the register would have access to a national database where they could check this information for drivers, noting that the register did not extend to vehicle or operator licensing decisions at this stage.

Extensive guidance, as appended to the agenda report, had been issued on using the register, which would introduce more consistency and national minimum standards. Data on the register would be retained for 25 years. Officers had identified 6 drivers licensed by Runnymede who would be added to the register unless they had sufficient grounds not to be, but each case would be treated on its merits. Some Data Protection and privacy issues would still need clarifying.

In creating the register the LGA had suggested some standard amended wording for local authority Hackney Carriage and Private Hire Licensing policies which Officers recommended adopting with a small number of minor changes to give additional information about the register which Members were content to approve.

Officers confirmed that new applicants and those renewing their licences would be made aware of the register and that if their licence was subsequently revoked or refused their details would be uploaded to the register. Existing drivers would all be written to about the register and details would also be placed on the Council's website.

To enrol on the register would cost the Council a one off fee of £10 and use of the register would add an administrative task to the team, but it was not thought to be onerous.

Officers advised that if statutory guidance was introduced they would support enrolment on the register being compulsory for local authorities. Officers were asked to confirm whether any other local authorities in Surrey did not sign up to the register although it was thought that all of them would adopt the NR3, as not to do so would open a local authority up to reputational risk. Officers were also requested to consider adding the NR3 to the Council's Risk Register.

RESOLVED that –

- i) the Committee adopts the National Register of Taxi Licence Revocations and Refusals NR3 and the guidance produced by the Local Government Association (LGA) and National Anti-Fraud Network (NAFN); and**
- ii) the proposed amendments to Runnymede's Hackney Carriage and Private Hire Licensing Policy be approved**

Chairman

(The meeting ended at 9.03pm)