

Runnymede Borough CouncilREGULATORY COMMITTEE24 September 2019 at 7.30pm

Members of the Committee present: Councillors D Cotty (Chairman), E Gill (Vice-Chairman), T Burton, D Clarke and J Gracey.

Members of the Committee absent: None.

242 FIRE PRECAUTIONS

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

243 NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Group mentioned below had notified the Chief Executive of its wish that the change listed below be made to the membership of the Committee. The change was for a fixed period ending on the day after the meeting and thereafter the Councillor removed would be reappointed.

<u>Group</u>	<u>Remove From Membership</u>	<u>Appoint Instead</u>
Conservative	Councillor J Furey	Councillor J Gracey

The Chief Executive had given effect to this request in accordance with Section 16(2) of the Local Government and Housing Act 1989.

244 MINUTES

The Minutes of the meeting of the Committee held on 25 June 2019 were confirmed and signed as a correct record.

245 DRAFT TAXI AND PRIVATE HIRE LICENSING POLICY 2020 – 2023

The Committee's approval was sought for an updated version of the Council's Taxi and Private Hire Licensing Policy, which was first introduced in 2017 when Officers had collated all the separate procedures relating to this area of licensing and produced one comprehensive document to guide Officers and the trade. There was no statutory requirement to have a formal policy but the Council had agreed that it was best practice to do so as it was an integral part of the decision making process and helped demonstrate the Council's main reason for having a policy which was to protect the public.

The policy had been operating well for three years; Officers did not consider the current requirements to be onerous, although it was acknowledged that there was room for improvement and in responding to legislative changes, case law and identified best practice elsewhere.

Officers presented the revised policy and highlighted the main areas of change, explaining why each amendment had been proposed and what effect it might have on the trade and the public.

In terms of general administrative issues, Officers had updated the policy with additional information to comply with the Data Protection Act 2018 and privacy requirements.

In respect of Driver Licensing Requirements, the Committee was advised that if it was made mandatory for drivers to join the DBS on-line update service, greater consistency would be achieved because if a driver was convicted of an offence, the DBS record was automatically updated and Officers could quickly check this every 6 months if drivers were signed up to the service. It was understood that if statutory guidance was introduced, this would be one of the mandatory requirements. Members were pleased to support this amendment to the policy. Also, with regard to DBS checks for new drivers, it was proposed to clarify that these checks included the child and adult barring database had been carried out by an approved body and this would be repeated every 6 months.

Officers proposed additional information with regard to the duties of drivers with wheelchair accessible vehicles. A recent case was noted where a driver licensed by Transport for London had acted illegally by keeping the meter running whilst assisting a wheelchair user in and out of the vehicle. The Committee fully endorsed highlighting driver duties and the inclusion of a high profile section covering the Equality Act 2010 reminding drivers of their legal obligations with regard to assistance dogs and wheelchair users. It was noted however that exemptions were available where required for example if a driver was allergic to dogs or had a medical condition which made it difficult for them to lift a wheelchair. Officers were asked to reduce any duplicating paragraphs and to cross match references to the Equality Act.

Also in respect of equalities, Officers confirmed that an updated Equality Screening Assessment for the policy would be submitted to the meeting of the Committee in January 2020, post consultation.

One area where Officers had responded to feedback from the trade was in respect of the Knowledge Test for Private Hire drivers. It was acknowledged that a lower level of geographical knowledge was needed as most drivers had Sat Navs. The pass mark would remain at 75% but the balance of questions would be changed to encourage new drivers.

Moving on to the Vehicle Licensing requirements, Members made some pertinent suggestions with regard to raising the profile of the safe carriage of children, with some practical examples of how this could be improved. The provision of child seats was at the discretion of drivers. However, the Committee wished the policy to reflect the importance of child safety. Therefore, Officers agreed to include this subject in the consultation questions and to consider specific provisions within the policy accordingly. For example relevant questions about booster seats in the Knowledge Test. It was also agreed that Officers would circulate to the Committee the DVLA guidance on the safe carriage of children. Members requested that the policy wording should be consistent for references to wheelchair and child restraints. The issue of frayed seatbelts was discussed and Members agreed that a specific reference to their good condition should be included in the policy.

Officers confirmed that the matter of tinted windows continued to cause some contention amongst the trade. The policy therefore would, subject to consultation, remain the same and it was proposed that any replacement glass must comply with construction and use regulations.

Members agreed that lamps and reflectors must be in good condition with no signs of damage or lens deterioration.

Officers proposed that a new requirement be added regarding entry points to wheelchair accessible vehicles and the condition and specification of lifting equipment, ramps and restraints. The Committee was advised that in the borough there was only a small number of fully wheelchair accessible vehicles but that the relevant owners had been canvassed and agreed with the proposals.

A further administrative amendment was agreed to reflect changes to insurance write off classifications.

Members approved conditions to further improve public safety. For example measures to prevent the prolonged use of space saver tyres. Officers also wished to introduce a new requirement for hackney carriage roof lights to be fitted at all times to show they were working vehicles. This did not apply to private hire vehicles which could not display 'for hire' as they could not be hailed.

Officers outlined a new requirement for Private Hire Operators to have passed a knowledge test by 31 December 2020. This timeframe was considered achievable. However, it was agreed that existing operators should not have to pay a fee to sit the test. Officers reported that some private hire operators kept poor or confusing records. Therefore a revision to record keeping requirements and conditions was necessary to improve standards.

Members agreed it was sensible to add a reference to 'name of business' on the provisions for signage and retain the sentence in the existing policy regarding 'the word taxi alone would be allowed' with regard to business advertising.

The Committee was content with the proposed public consultation period of 10 weeks, and asked Officers to confirm the dates of the planned consultation event 'drop in' sessions at the Civic Centre. The consultation would be widely publicised, including on the Council's website, with the intention of reaching all the interested parties with particular emphasis on the public who were the main users of the hackney carriage and private hire trade. Officers confirmed that the full list of consultees would also include all local schools which would cover the needs of children with Special Educational Needs.

Officers were commended for their thorough review of the policy and detailed presentation of the proposed updates and amendments.

RESOLVED that –

- i) the updated draft taxi Licensing Policy 2020 – 2023 be approved for public consultation; and**
- ii) the results of the consultation be submitted to this Committee for further discussion in January 2020, prior to approving the final version of the policy, to be effective from 2 March 2020**

Chairman

(The meeting ended at 8.41pm)