

Runnymede Borough Council

Regulatory Committee

Wednesday, 18 September 2024 at 7.30 pm

Members of the Committee present: Councillors M Harnden (Chair), D Clarke, A King (In place of E Kettle), I Mullens (In place of K Lee) and P Tucker-Brown.

Members of the Committee absent: None

**8 Notification of Changes to Committee Membership**

The Chair paid a warm tribute to former Councillor J Wilson, who had sadly passed away. She recalled with fondness his time as Chair of the Licensing and Regulatory Committees and his contribution to the work of those Committees in particular. A minute's silence was held, noting there would be an opportunity for all Councillors to remember him at the next full Council meeting in October.

Councillor P Tucker-Brown was welcomed to the meeting as appointed by Councillor P Snow.

Councillor A King substituted for Councillor E Kettle and Councillor I Mullens substituted for Councillor K Lee.

**9 Minutes**

The Minutes of the Committee meeting held on 19 June 2024 were confirmed and signed as a correct record.

**10 Apologies for Absence**

There were no apologies for absence.

**11 Declarations of Interest**

There were no declarations of interest.

**12 Adoption of Amended Pavement Licensing Policy**

The Committee's approval was sought for a revised Pavement Licensing Policy following legislative change introduced by the Levelling Up and Regeneration Act 2023.

Members recalled that the aforementioned Act introduced a permanent pavement licensing regime in England replacing the temporary arrangements under the Business and Planning Act 2020. The key changes to the Policy were set out in the Minutes of the meeting of the Committee in June 2024.

Some Members were concerned that the fees might be prohibitive for small businesses. However, no feedback had been received during the Consultation period. Therefore, the Committee was content to approve the policy unchanged, acknowledging that the fee was set on a cost recovery basis, and any income would be beneficial for the Council's Licensing Service.

**Resolved that –**

**the revised Pavement Licensing Policy following the 8-week public consultation period, be approved, to be effective from 24 September 2024**

**13 Review of Hackney Carriage and Private Hire Licensing Policy and Guidance**

The Committee's approval was sought for a revised Hackney Carriage and Private Hire Licensing Policy prior to a public consultation.

Officers set out the key changes to the Policy, which were suggested in line with updated guidance, statutory standards, related Council policies, benchmarking with other Surrey Licensing Authorities and practical experience of administering the licensing regime.

These were:

- A new section summarising general duties within the Crime and Disorder Act 1998 and Equality Act 2010 in line with best practice guidance which had been updated in November 2023
- A new section concerning Tax Registration requirements introduced in April 2022
- An updated section regarding the National Register of Taxi License refusals, revocations and suspensions in line with updated statutory guidance in April 2023
- A new section on compliance and enforcement
- Updates to the driver licensing requirements in respect of work area declarations, certificates of good conduct, medical fitness, language proficiency and holistic assessment of information about drivers when determining any action against them
- Updates to vehicle licensing including carrying children safely, fire extinguishers, CCTV and the Council's approach to climate change and emission standards as set out in the supplementary agenda
- Updates to operator licensing in respect of health and safety management, disability awareness training, and the location of an Operator's office base
- Clarity around the frequency of fare reviews
- Substantial updates to Appendix D relating to the relevance of convictions, cautions and driving licence endorsements in line with national standards
- Updating the knowledge test policy
- Added clarity regarding imported vehicles in Appendices F and G

Officers confirmed that extensive re-formatting and reduction of duplication had also been carried out.

Officers also reported on a current consultation issued by the Institute of Licensing concerning their revised 'suitability guidance for taxi and private hire licensing; which might have an impact on the Council's own policies and procedures which would be assessed once the guidance was published.

The Committee debated the new Environmental Policy approach to licensing vehicles as set out in the supplementary agenda. It was proposed that in line with the Council's own fleet requirements from 1 January 2030, the Council would only licence hackney carriage and private hire vehicles (new and renewal) which were Ultra Low Emission Vehicles (ULEV) as defined by the Vehicle Certification Agency (i.e. Euro 4 petrol and Euro 6 diesel). One Member felt that a phased approach might be better and introduced from earlier. It was noted that the majority of licensed vehicles (approximately 80%) were already compliant.

An amended motion was proposed that new vehicles would be required to be ULEV by 2028 and renewals by 2030. However, there was no seconder for this amendment. Officers were asked to record in the Minutes, at her request, the amended motion proposed

by Councillor Mullens and the results of the named vote she called for on the substantive motion that was carried.

Officers would submit a report following the consultation to the meeting of the Committee scheduled for 8 January 2025.

**Resolved that –**

- i) the revised Hackney Carriage and Private Hire Licensing Policy as set out in Appendix A, be amended as set out in the addendum and be approved for public consultation; and**
- ii) the results of the consultation be brought back to this Committee for further discussion in January 2025 with a view to approval of the policy accordingly**

**Resolution i) above was the subject of a named vote, with the voting noted as follows:**

**In favour (4)**

**Councillors M Harnden, D Clarke, A King and P Tucker-Brown**

**Against (1)**

**Councillor I Mullens**

**Abstentions (0)**

**14 Exclusion of Press and Public**

There were no exempt or confidential items on the agenda.

(The meeting ended at 8.08 pm.)

Chair