

Licensing and Appeals Committee

Minutes of the meeting held on 15 December 2014

Present:

Councillor Longsdon in the Chair
Councillors Austin, Collins, Grimshaw, Loughman, Ludford, Lyons, Shilton-Godwin, Stone and Teubler.

Councillor Flanagan, Executive Member for Human Resources and Finance.

Apologies:

Councillors N Ali, Sameem Ali, Evans, Hughes and Royle.

LAP/14/29 Minutes

The minutes of the meeting on 10 November 2014 were submitted for consideration.

Decision

To approve as a correct record the minutes of the meeting held on 10 November 2014.

LAP/14/30 Consideration of the adoption of an addendum to the hackney carriage vehicle policy and private hire vehicle proprietor conditions.

A report of the Head of Planning, Building Control and Licensing was presented to the Committee by the Principal Officer for Taxi Licensing.

The report provided the Committee with information regarding the lack of possible regular service/maintenance by proprietors of both hackney carriage and private hire vehicles throughout the currency of their licences. The report provided statistics from Hammerstone Road garage as to the number of vehicles failing mechanical inspections for major retest items, which suggested that the garage is being used by proprietors as a 'pre MOT test'.

The report proposed that an addendum to the current hackney carriage vehicle policy and private hire vehicle proprietor conditions would ensure as far as possible that such vehicles are safe and fit for purpose for both the travelling public and the individuals who drive them.

The Committee were addressed by a representative of the Hackney Carriage Drivers Association, who requested that the proposed addendum be sent for consultation with drivers and proprietors of hackney carriages and private hire vehicles.

After deliberation, the Committee concluded that the proposed addendum would strengthen the current mandatory condition on all hackney carriage and private hire vehicle licences, and was a minor change that would not be onerous for compliant proprietors.

Decision

1. To add the following addendum to the Hackney Carriage Vehicle Policy (Section 3 and Section 5) and the private hire licence conditions.
2. To request that officers implement the addendum as soon as is practical to do so.

Addendum

3.6 Vehicle Test Standards

B(i) The hackney carriage vehicle proprietor must:

- at any time during the currency of the hackney carriage vehicle licence be able to produce on request by an authorised officer of the Council or a police constable, *reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
- at the time of the Councils mechanical and structural inspection test, provide *reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.

*reasonable written evidence shall include, as a minimum:

- documented service/maintenance history and associated receipts

Hackney Carriage Vehicles Policy Section 5 (5.1 Conditions attached to a Hackney Carriage Proprietors' Licence

6. (i) The hackney carriage vehicle proprietor must:

- at any time during the currency of the hackney carriage vehicle licence be able to produce on request by an authorised officer of the Council or a police constable, *reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
- at the time of the Councils mechanical and structural inspection test, provide *reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.

*reasonable written evidence shall include, as a minimum:

- documented service/maintenance history and associated receipts

5(i) The private hire vehicle proprietor must:

- at any time during the currency of the private hire vehicle licence be able to produce on request by an authorised officer of the Council or a police constable, *reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.
- at the time of the Councils mechanical and structural inspection test, provide *reasonable written evidence that any vehicle owned by him/her has been regularly and properly mechanically serviced/maintained.

*reasonable written evidence shall include, as a minimum:

- documented service/maintenance history and associated receipts

LAP/14/31 Update on the introduction of the online hackney carriage and private hire knowledge tests.

A report of the Head of Planning, Building Control and Licensing was presented to the Committee by the Principal Officer for Taxi Licensing.

The report informed the Committee of the new format for the hackney carriage and private hire driver knowledge tests. The report also highlighted concerns that had been raised in relation to a gap in the knowledge of hackney carriage and private hire drivers, relating to 'Customer care, disability awareness and 'safeguarding of children/young persons and vulnerable adults'.

The Committee had made a decision on 10 November 2014 to set up a working party to review driver training and the hackney carriage/ private hire knowledge tests. The report proposed that an additional section, covering the above-mentioned issues, could be included in the current hackney carriage/ private hire knowledge tests as an interim measure.

The Committee were addressed by a representative of the Hackney Carriage Drivers Association, who said that the training was already available as part of an NVQ offered to prospective drivers, and that the introduction of an additional section to the hackney carriage/ private hire knowledge tests was unnecessary.

The Principal Officer for Taxi Licensing confirmed that the additional sections of the test were an interim measure and would only be applied to new driver applications. The Committee were told that drivers with a current licence would not be expected to take the hackney carriage/ private hire knowledge tests again.

After deliberation, the Committee decided that in the interests of public safety, the addition of a section specifically targeting a lack of knowledge relating to Customer care, disability awareness and 'safeguarding of children/young persons and vulnerable adults' should be introduced.

Decision

1. To introduce as an interim measure, an additional set of 10 related questions within the current knowledge tests.
2. To request a report on the format and wording of the additional questions.