

# LICENSING COMMITTEE

18 March 2013

**PRESENT:** Councillor Mrs Brandis (Chairman); Councillors Mrs Blake, Mrs Bloom, Cooper, Douglas-Bate, Huxley, Lambert, Mills, Mrs Phipps, Rand, Mrs Renshell, Mrs Roberts, Sir Beville Stanier and Vick.

**APOLOGIES:** Councillors Hawkett and Jarvis.

## 1. MINUTES

RESOLVED –

That the Minutes of 3 September 2012 be approved as correct record.

## 2. TAXI AND PRIVATE HIRE ENFORCEMENT

In January 2010 the Council's licensing services team began implementing the current Taxi and Private Hire Policy. This included Appendix 10 of the policy "Policy on the relevance of criminal conduct and complaints against licence holders and applicants", which had been attached as an appendix to the report.

However the policy, which had been successful in relation to the more serious crimes and breaches of conditions, had not reduced the level of 'low level compliance' and the licensing service continued to receive a relatively high number of complaints regarding, for example, standards of driving, not displaying plates correctly or drivers not wearing badges. These had been difficult to investigate and prove as well as being time consuming for officers and Thames valley Police and AVDC's Civic Enforcement Officers who may also be involved in assisting officers. However, repeated complaints against a driver could result in a regulatory sanction such as a suspension.

There also continued to be evidence of unlawful plying for hire by some private hire drivers, particularly in the larger towns in the Vale and occasional complaints that taxis were not using their meters as required. Although routine night time patrols by officers did disrupt this kind of behaviour, the only effective way to prosecute a case of unlawful plying for hire was to undertake a 'test purchase'.

Again this type of operation was relatively labour intensive and had not proved to be much of a deterrent. The Council's policy did permit the consideration of a short suspension of the driver's licence or even revocation and it was suggested that the wording of this part of the policy be strengthened.

A number of recommendations and commitments that it was hoped would assist in dealing with these and other issues were discussed by the Committee. It was noted that when setting the Council's policy on the enforcement of taxi and private controls, the

Council must have regard to the Regulators' Compliance Code which had been summarised in the report.

Even though many of the examples of low level compliance are offences, it was felt it would be disproportionate to refer for prosecution or even impose a regulatory sanction such as a suspension, particularly for a first offence. However, repeat offences would justify some kind of regulatory action. It was recommended therefore that a 'points system' be introduced whereby each breach results in a number of points and if sufficient points were accrued a review would be conducted which could result in a regulatory sanction such as a suspension.

A number of alternative sanctions and rewards were suggested including some kind of restorative justice scheme, contacting licensed operators to offer advice, agree an action plan or administer a formal warning. Best practice could also form part of an accreditation scheme.

Members made a number of suggestions for possible changes to Appendix 10 of the policy and sought clarification on a number of points.

#### RESOLVED

- (1) That the Committee noted the report and requested that officers make the suggested changes to the policy and bring a report and a new draft Appendix 10 back to a future meeting of the committee for their consideration.