

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the LICENSING & REGULATION COMMITTEE held on 13 JUNE 2013

PRESENT: Councillor P N Shepherd - Chairman
" M Vivis - Vice Chairman

Councillors: P M Jones
D G Meacock
C H Spruytenburg
H A Trevette
J F Warder

APOLOGIES FOR ABSENCE were received from Councillors N L Brown, Mrs J A Burton, G K Harris, D J Lacey, M Prince, J J Rush, N Stewert and A P Williams

1 ELECTION OF CHAIRMAN

RESOLVED –

That the appointment of Councillor N Shepherd as Chairman of the Committee for the remainder of the Municipal year, as agreed at Annual Council on 21 May 2013, be noted.

2 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED –

That the appointment of Councillor M Vivis as Vice-Chairman of the Committee for the remainder of the Municipal year, as agreed at Annual Council on 21 May 2013, be noted.

3 MINUTES

The Minutes of the meeting held on 14 February 2013, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 CHILTERN HACKNEY CARRIAGE AND PRIVATE HIRE POLICY

Following the consultation in September 2012 with interested parties and the work undertaken by the Task and Finish Group, the Chiltern Hackney Carriage and Private Hire Policy has been further revised. In November 2012, the Licensing and Regulation Committee discussed the proposals and set up a Task and Finish Group. This group met three times and considered in detail all the concerns that had been raised by the feedback, and also allowed the trade to discuss further any issues. The various consultation responses and comments were appended to the report. Amendments made to the policy were discussed during a final feedback session in April 2013. The final draft policy was considered and in particular, the 12 key policy points:

Policy 1 – introduction of Passenger Assistant Training Scheme for all new applicants and existing licensees.

It was proposed that the training be carried out with Bucks County Council (BCC) Transport Team every 4 years, to be phased in gradually for existing drivers for all renewals by 2014. This training was already required for all drivers on Home to School contracts and would support drivers in working on these contracts and present a more consistent approach.

The Committee were concerned about the requirement for both hackney carriage and private hire vehicle drivers to assist passengers with the loading and unloading of luggage into and out of the vehicle and recommended that this should be qualified with the words “reasonable assistance” to ensure that drivers were not being asked to carry out tasks beyond their own physical capability.

This policy was then agreed by the Committee.

Policy 2 – removal of the requirement that a Hackney Carriage Driver who applies to obtain a Private Hire Driver Licence requires an additional medical examination certificate and vice versa.

This was welcomed by the Trade, supported by the Task and Finish Group and agreed by the Committee.

Policy 3 – A reduction of 25% on the vehicle licence fee for any vehicle that falls within Band A, B or C for road tax purposes (low emissions).

The Committee recommended the insertion of “or equivalent DVLA classification” to cover future advances. This policy was then agreed by the Committee.

Policy 4a – Amendments to wording on renewals and new application forms.

The Committee generally agreed to the proposals, pointing out that the instructions on completing every question on the form should be made clear, but requested more information about the new form. Members asked to see the form at a future committee meeting.

Policy 4B – Review of the criminal convictions and behaviour policy for new and existing drivers.

The committee requested that the offences listed in the policy be numbered so that they could be quoted clearly on decision notices issued by sub-committees.

Policy 5 – Introduction of a system for the monitoring of contraventions.

The Task and Finish Group had developed a monitoring enforcement tool for persistent offenders. Its purpose was to highlight those drivers who have a pattern of contraventions, i.e. who were constantly being given the same advice or warnings. Those given a Red Card would have 14 days to appeal to the Head of Health and Housing.

The trade had been concerned that this could involve ‘double jeopardy’ and drivers could be punished twice for the same contravention where it was also a criminal offence. The committee were reassured that serious offences where the police were dealing with the matter were covered elsewhere in the policy. In such cases it was intended that the Council would only take action under the Enforcement Policy if the police did not pursue the matter.

It was agreed that the operation of the policy would be reviewed after one year Decision making when issuing yellow or red cards would be delegated to the Head of Health and Housing and not involve sub-committees.

Policy 6 – Certificates of Good Conduct for non-UK residents.

The committee discussed the time periods recommended in this policy and agreed to the proposals made for the present time with a review in two years’ time.

Policy 7 & 8 – Introduction of a vehicle age policy

This proposal had received the most objections from interested parties. The policy still allowed vehicles over 12 years to be used but they would require an additional garage inspection costing approximately £25. It was noted that all the neighbouring local authorities had a similar policy (and in most cases much stricter) and it was important to maintain standards and safety. It was felt this provided a sensible compromise and balance.

Policy 9 – Amendments to the requirements for the issue of a small plate.

The committee agreed that drivers were generally of smart appearance so agreed to introduce a formal requirement for holders of a small plate to be smartly dressed. The prohibition of advertising from vehicles that had requested a small plate was also supported.

Policy 10 – Removal of the requirement for licensees to notify the licensing team when they have booked their Certificate of Compliance/MOT.

The committee agreed to this amendment.

Policy 11 – Introduction of a minimum size and compulsory text for taxi roof signs.

Although there had been concerns raised by the trade to this proposal, all the roof signs recently checked had complied with the policy.

Policy 12 – Introduction of non-standard Private Hire Vehicle Policy for stretched limousines and novelty vehicles.

These vehicles would be exempt from displaying their licence. The Committee agreed that the licence could be kept in the boot or elsewhere “in the vehicle”.

The committee also agreed that the provisions relating to the wearing of seat belts by drivers would be a recommendation rather than a requirement.

The Chairman thanked the Officers on behalf of the Committee for a very good report and their work and also thanked the Task and Finish Group for their detailed consideration.

RECOMMENDED –

- 1. That the Council approve the Chiltern District Council Hackney Carriage and Private Hire Policy with the amendments as agreed at the meeting.**
- 2. That further minor amendments be delegated to the Head of Health and Housing in consultation with the Chairman of this Committee.**

The meeting ended at 7.51 pm