

**MINUTES OF A MEETING OF THE
TAXI LICENSING COMMITTEE
HELD AT NELSON TOWN HALL
ON 8TH FEBRUARY, 2022**

PRESENT –

Councillor K. McGladdery – Chairman (In the Chair)

Councillors

*N. Ahmed
N. Ashraf
M. Aslam (Substitute for D. Cockburn-Price)
M. Iqbal*

Officers present

<i>Jackie Allen</i>	<i>Taxi Licensing Manager</i>
<i>Emma Barker</i>	<i>Litigation & Regulatory Lawyer</i>
<i>Lynne Rowland</i>	<i>Committee Administrator</i>

(Apologies for absence were received from His Worship the Mayor Councillor N. Butterworth and Councillor D. Cockburn-Price.)



The following persons attended the meeting and spoke on the item indicated –

<i>Zaheer Ahmed</i>	<i>Department for Transport Statutory Taxi and</i>	<i>Minute No.30</i>
<i>Mr Akram</i>	<i>Private Hire Vehicle Standards and Policy</i>	
<i>Charles Oakes</i>	<i>Review</i>	
<i>Tariq Hussain</i>		
<i>Dr Mohammed Arshad</i>		

27. DECLARATION OF INTERESTS

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests.

28. PUBLIC QUESTION TIME

There were no questions from members of the public.

29. MINUTES

RESOLVED

That the Minutes of the meeting held on 18th November, 2021 be approved as a correct record and signed by the Chairman.

30. DEPARTMENT FOR TRANSPORT STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS AND POLICY REVIEW

Further to this item being deferred at the last meeting, the Planning, Economic Development and Regulatory Services Manager submitted a report in which the Committee was asked to consider, as part of the consultation process, the draft Hackney Carriage and Private Hire Licensing Policy. The existing Policy had been adopted in 2016 and was now due for review. The response of the Committee would be submitted to the Policy and Resources Committee for consideration.

Alongside the report, Members were also provided with a copy of the Department for Transport's (DfT) Statutory Taxi and Private Hire Vehicle Standards which focussed on protecting children and vulnerable adults from harm, which had been published in July 2020. The Council had a legal duty to have regard to this.

The action required from the statutory guidance was provided at appendix 1 to the report and included proposed updates to the Council's Hackney Carriage and Private Hire Policy. Further recommended updates to the existing Policy, as part of the five year review, were included at appendix 2.

The proposed updates had been incorporated into the draft policy document, which was submitted at appendix 3.

It was noted that, since writing the draft policy, details of a requirement under the Finance Act 2021 had been published. This related to people being made aware of their tax responsibilities and required adding to the policy.

RESOLVED

- (1) That the Policy and Resources Committee be recommended to approve the draft Hackney Carriage and Private Hire Licensing Policy, which includes the action/updates required by the Department for Transport's statutory guidance as detailed in appendix 1 to the report and the recommended updates as detailed in appendix 2, subject to the following amendments –
 - (i) that the requirement for medical certificates to be completed by the driver's own GP be extended to include any qualified medical practitioner, subject to the driver providing a summary of their medical history to the medical practitioner, and the wording of Section 5.8 of the draft policy be amended to reflect this;
 - (ii) that the vehicle age limits as detailed in Section 4.7 of the draft policy be amended to include the following –
 - that there be no lower age limit at which hackney carriage and private hire vehicles may be licensed;
 - that the upper age limit for licence renewal of vehicles manufactured or adapted to allow for wheelchair accessibility be increased from 12 years to 15 years;
 - that an upper age limit for licence renewal of electric/Euro 6 vehicles be set at 15 years;
 - that the upper age limit for licence renewal of all other hackney carriage and private hire vehicles be increased from 11 to 12 years.

- (iii) that, in view of the potential cost involved, the requirement that all vehicles must be fitted with CCTV cameras that must be functioning and in recording whilst the vehicle is in use not be implemented at this time and this be removed from Section 4.1 of the draft policy;
 - (iv) that Section 5.13 (c) relating to the suspension of an operator's licence where drivers employed by the same private hire firm have been found guilty of unlawful plying for hire be removed from the draft policy.
- (2) That arrangements be made for a separate meeting to be held with representatives of this Committee, one representative from the private hire trade and one representative from the hackney carriage trade, to further consider the statutory guidance action to require that all drivers have an oral and written English language skills test, the outcome of which to be reported to the Policy and Resources Committee alongside the recommendations at resolution (1).

REASON

- (1) ***Licensing authorities are under a legal duty, under Section 177 of the Police and Crime Act 2017, to have regard to the Statutory Standards and are expected to publish their consideration of the measures contained in the Standards and change to policies and procedures that stem from these.***
- (2) ***The Hackney Carriage and Private Hire Policy is due for review every five years.***

CHAIRMAN _____