

**MINUTES OF A MEETING OF THE
TAXI LICENSING COMMITTEE
HELD AT NELSON TOWN HALL
ON 19TH FEBRUARY 2024**

PRESENT –

His Worship the Mayor Councillor B. Newman – (Vice-Chair)

Councillors

*N. Butterworth
M. Iqbal
K. McGladdery
K. Salter
M. Strickland*

Also present

*Councillor N. Ashraf
Councillor Y. Iqbal*

Officers present

<i>Neil Watson</i>	<i>Assistant Director, Planning, Building Control and Regulatory Services</i>
<i>Jackie Allen</i>	<i>Taxi Licensing Manager</i>
<i>Emma Barker</i>	<i>Legal Services Manager</i>
<i>Lynne Rowland</i>	<i>Committee Administrator</i>

(Apologies for absence were received from Councillor F. Ahmad.)



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

<i>Mr Khan</i>	<i>Proposed Measures to Improve Taxi Safety</i>	<i>Minute No.20</i>
<i>Mr Akram</i>		
<i>Mr Saeed</i>		

17. DECLARATION OF INTERESTS

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

18. PUBLIC QUESTION TIME

There were no questions from members of the public.

19. MINUTES

RESOLVED

That the Minutes of the meeting held on 11th September 2023 and the special meeting of the

committee held on 9th October 2023 be approved as a correct record and signed by the Chair.

20. PROPOSED MEASURES TO IMPROVE TAXI SAFETY

At the last meeting of this Committee, a decision on implementing measures to improve taxi safety was deferred to allow for two unannounced spot checks.

It was reported that the two spot checks had taken place, one in November 2023 and the second in January 2024. The results were presented to the Committee in a report of the Assistant Director, Planning, Building Control and Regulatory Services and showed that in November, of the 16 vehicles tested, eleven (68%) failed the test. In January, 10 of the 20 vehicles failed, a failure rate of 50%. The reasons for the failures were provided in an appendix to the report and highlighted that many of the defects should have been picked up on a daily check.

As a comparison, following a request by the Committee at its last meeting, details of spot check failure rates from councils across Lancashire and the sanctions they had in place were circulated.

It was noted that Government advice in the best practice guidance had been updated in relation to the appropriateness of daily checks. The position of Government was detailed in the report, where it was explained that all taxi drivers should check their vehicle every day, log it, and those failing to do so may not be fit and proper to hold a licence. They also indicated that anyone falsifying a check may also not be a fit and proper person.

The method of recording the daily vehicle check had been discussed at previous meetings of the Committee, with the introduction of an App. being proposed. It was noted that the trade had expressed their opposition to this proposal, preferring to record the check on paper. A further discussion was held on the advantages/disadvantages of each process.

Members were reminded that action could be taken against all licence holders to maintain vehicles whether they be the operator, vehicle proprietor or driver. However, a policy was needed on how this was accessed and what sanctions could be imposed on a licence holder.

RECOMMENDATION

That Council be recommended to resolve that:

- (1) no changes be made to the frequency of the testing of vehicles;
- (2) vehicles which fail the spot check or sections 2, 3 and 4 of the taxi test continue to be tested every 4 months with the requirement for 4-month licences replaced with either a 4 or 12-month licence;
- (3) one of the taxi tests must include an MOT test carried out by one of the Council's approved garages;
- (4) an operator to have their licence reviewed by the Taxi Licensing Committee should 50% of vehicles, operating with them, fail a spot check, over a 1-year period;
- (5) 8 points be issued to a driver of any vehicle that fails a spot check. A driver that exceeds 15 points to be brought before Taxi Licensing Committee to have their licence reviewed;

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- (6) should a driver fail to immediately attend a spot check, to have their licence reviewed by the Taxi Licensing Committee;
- (7) an App. be introduced to record daily vehicle checks. This would monitor that each vehicle had been checked before the driver started their shift. It would be part of the taxi policy that the App. was used. Failure to use it would result in review of a licence by the Taxi Licensing Committee;
- (8) training be given to any driver who is unclear on how to use the App.
- (9) 8 penalty points for any driver failing to have a record on the App. to confirm that before the start of their shift they had checked the condition of their vehicle. The vehicle must comply with what was recorded on the App. A driver that exceeds 15 points to be brought before Taxi Licensing Committee to have their licence reviewed;
- (10) any driver lying/being untruthful on the vehicle check record to have their licence reviewed by the Taxi Licensing Committee;
- (11) 2 ramps be used when carrying out spot checks to reduce the waiting time when asked to attend a check;
- (12) a section on vehicle maintenance be added to the driver knowledge test;
- (13) the taxi penalty points scheme be reviewed within the next 2 months, and a report submitted to the Taxi Licensing Committee.

REASON

- (1) To reward vehicle proprietors who do maintain their vehicles.**
- (2) To ease the administration work for the Council and vehicle proprietors by not issuing 4-monthly licences should a 12-month licence be applied for.**
- (3) The requirement for an MOT will replace the current compliance certificate and entered onto Government database.**
- (4-6) The failure rate of vehicles on spot checks is unacceptably high and measures need to be put in place to compel improvements in order to safeguard the public.**
- (7-10) To address the significant mechanical defects found in vehicles.**
- (11) To reduce the waiting times when being asked to attend a spot check.**
- (12) To improve a driver's knowledge of vehicle maintenance.**
- (13) To address the concerns of the trade that the points issued are proportionate to the severity of the infringement.**

CHAIR _____