

Licensing Committee – Meeting held on Thursday, 15th February, 2018.

Present:- Councillors Cheema (Chair), S Parmar (Vice-Chair), Davis, Mann, Qaseem (from 7.06pm), A Sandhu, Sohal, Strutton and Wright

Apologies for Absence:- Councillor Rasib

PART 1

16. Declarations of Interest

None were received.

17. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

18. Minutes of the Last Meeting held on 17th October 2017

Resolved – That the minutes of the last meeting held on 17th October 2017 be approved as a correct record.

19. Update on Proposed Emissions Strategy for Hackney Carriage and Private Hire Vehicles

The Committee received a report that updated on the proposals for low emission standards for existing hackney carriage and private hire vehicles in Slough and to seek approval that all new applicants meet the required emission standards from 1st September 2018.

The new standards were in line with legislation and with the Council's draft Low Emissions Strategy which included the aim to reduce emissions from road transport to help improve air quality. Pollution was already relatively high in Slough and the associated health risks were noted. In relation to the policy for existing drivers, Members were reminded that the Committee had agreed on 17th October 2017 that further engagement with the trade would take place before any new policy was approved and it was anticipated the Committee would consider proposals at the meeting in June 2018. A breakdown of the age of vehicles had been requested and this was tabled at the meeting.

The Committee was asked to approve a proposal that all new vehicles to be licensed for the first time as a private hire vehicle by a new applicant for a private hire driver licence must be to a ULEV standard effective from 1st September 2018.

Mr Aftab Khan representing the Slough Private Hire Driver Association had requested to address the Committee and the Chair invited him to speak. The key points raised were as follows:

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- The principle of taking measures to improve air quality were supported.
- However, requiring all vehicles to be under 3 years of age at the time of being licenced would increase costs and may be prohibitive to new drivers entering the trade.
- That a proposal based on emissions rather than the age of vehicles would be a better system.
- The approach being taken by Transport for London was highlighted.

The Licencing Officer responded that the priority was to improve public safety and it was noted that several areas of Slough already breached air quality limits. Members agreed the importance of taking proactive measures to improve air quality for the benefit of the health and wellbeing of residents. Members did recognise that vehicle emissions were the primary consideration and they requested that the policy regarding the criteria specifying that all vehicles be under 3 years of age be monitored. It was agreed that action should be taken to introduce the policy for new drivers to begin to implement the new policy approach and secure the benefits as soon as possible.

The Committee also requested clarification on whether both private hire and/or hackney carriage drivers would be eligible to utilise the 4 plug-in electric vehicles and it was agreed this information would be provided.

At the conclusion of the discussion, the Committee noted the update on the proposed introduction of emissions standards for existing drivers and agreed that the proposals for such standards for new drivers from 1st September 2018 be approved as set out in paragraph 6 of the report.

Resolved –

- (a) That it be noted that the main proposals as previously discussed would be put back until 6th June 2018 to allow for further engagement with the hackney carriage and private hire trade bodies and their representatives.
- (b) That the report be noted.
- (c) That the proposals, as set out in Section 6 of the report, for all new applicants wishing to licence a private hire vehicle for the first time be approved.

20. Proposal for the Removal of Minimum Sizes for Hackney Carriage and Private Hire Vehicles

The Senior Licensing Officer, Ms Rumney, introduced a report that sought approval that the existing 'Minimum Size of Vehicle' policy for all licenced hackney carriage and private hire vehicles be rescinded with immediate effect and that Licensing Officers continue to have discretion in determining the number of passengers a vehicle could be licensed to carry.

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The original policy on the minimum size of vehicles had been approved by the Committee on 4th November 2009, however, since that time the types, makes and models of vehicles had increased significantly providing more choice of vehicles to be suitably licensed, including smaller, low emission and electric vehicles which often did not comply with the current policy. The proposal to rescind the policy and continue to give discretion to Licensing Officers would therefore increase the choice of vehicles and would mean smaller vehicles could be licensed but for fewer passengers. The Committee was assured that the proposal was in line with Department for Transport Best Practice Guidance and the primary consideration would be to determine the number of passengers a vehicle could carry safely and comfortably.

(Councillor Qaseem joined the meeting)

Members asked a number of questions about the impact of rescinding the policy, including wheelchair access and whether problems would arise if smaller taxis arrived that were unable to carry the number of passengers the customer requested. Ms Rumney explained that these issues would be matters for the trade to deal with when taking bookings, not a matter for the licensing authority which was seeking to widen choice and flexibility. It was also noted that a majority of journeys were for single passengers. Members were assured that vehicles would still be required to meet all other standards expected of a licensed vehicle in terms of safety and accessibility.

The Committee recognised that the market had changed considerably since the policy had been approved in 2009 and agreed to rescind it to provide more choice. Members felt that it was important to raise public awareness of the need to ensure a vehicle ordered was able to carry the required number of passengers at the point of booking and it was therefore agreed that a press release be issued and communications activity take place. It was also agreed that an update report on the take up and impact of the change to be provided at a future meeting of the committee after approximately a year of operation.

Resolved –

- (a) That the current 'Minimum Size of Vehicle' policy for all licensed hackney carriage and private vehicles be rescinded with immediate effect.
- (b) That any size of vehicle could be considered for licensing as either a private hire or hackney carriage vehicle, providing it complied with Slough Borough Council's assisting policies including (but not limited to) the Vehicle Age Policy, Tinted Window Policy and Wheelchair Accessibility Policy.
- (c) That Licensing Officers would continue to have the discretion to determine how many adult passengers the vehicle could safely and comfortably carry.

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- (d) That the Committee receive an update on the impact of the change in circa 12 months.

21. Update on Mandatory Safeguarding Training for Hackney Carriage and Private Hire Drivers and Operators

The Licensing Officer, Mr Idowu, introduced a report that updated on the mandatory safeguarding training for all hackney carriage and private hire drivers and operators and sought approval to suspend a licence where the licence holder had persistently failed to attend the training.

Members reminded that the training had been introduced in 2015 following high profile safeguarding issues around the country in particular relating to child sexual exploitation which had involved some taxi drivers. Safeguarding training was therefore an important part of the licensing authority's primary role in the protection, safety and wellbeing of the public. The training had commenced on 17th September 2016 and was considered to be effective and successful. Thirty-six sessions had been held which had been attended by 901 new applicants and existing licence holders. Further sessions were planned in each of the next four months. The Committee was informed that approximately 55 current licence holders had failed to attend any of the 36 sessions despite regular invitations and reminders. In view of the importance of the training it was proposed that a licence be suspended if a driver had not attended the training by 31st May 2018.

Members welcomed the fact that the training programme had been a success overall, however, they were concerned that a number of drivers had not yet attended and the reasons for this were discussed. Mr Idowu assured the Committee that every effort had been made to advise the drivers of the dates of sessions and it was noted that some licence holders may not be active in the trade and therefore not feel they needed to undertake the training. The Committee agreed that it was essential for all drivers to undertake the mandatory training and the ability to suspend a licence was approved.

Resolved –

- (a) That the contents of the report be noted.
- (b) That it be approved with immediate effect that where any current holder of a Hackney Carriage or Private Hire Driver or Operator licence had repeatedly failed to attend a scheduled Safeguarding Training session by 31st May 2018, their licence would be suspended until they attended a scheduled training session.

22. Members Attendance Record 2017/18

Resolved – That the Members' Attendance Record be noted.

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23. Date of Next Meeting - 28th March 2018

The date of the next meeting was confirmed as 28th March 2018.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.33 pm)