

MINUTES

of the

REGULATORY COMMITTEE

held on 25 February 2021 at 7pm

Present:

Councillor L. Mascot (Chair)
Councillor D.G. Jones (Vice-Chair)

Councillors R.H. Ambor, L. Ashley, D.J.R. Clark, A.E. Davidson, J.A. Frasca, P.V. Hughes, A.M. John, R.J. Lee, L.A. Millane, S. Rajesh and I.C. Roberts

1. Apologies for Absence

No apologies for absence were received.

2. Minutes

The minutes of the meeting held on 19 November 2020 were agreed as a correct record and signed by the Chair.

3. Declaration of Interests

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

4. Public Question Time

No questions were asked or statements made.

5. Taxi Licensing Policy

The Committee received a report which asked them to consider a single reference Taxi Policy Document along with any additional and amended items that were proposed to be included as directed by the Department for Transport Statutory and Private Hire Vehicle Standards issued in July 2020. It was noted that the document focused on 'fit and proper persons', licence conditions and vehicle standards.

A green sheet had been circulated by officers prior to the Committee. This detailed a proposed change to the policy at paragraph 2.2.2 regarding the types of driving licences. It was noted that this change was no longer being proposed and officers were clarifying the situation. It was noted that this would be resolved before sending the draft policy out for consultation.

The Committee was informed that the Council did not yet have a single source policy document and the recent review had involved collating the existing local arrangements that had been established over many years. It was noted that the new proposed document had been established using current policy and been updated in line with recommendations from best practice and the Department for Transport guidance. The Committee heard that other local authority policies had been looked at by officers to establish areas of best practice.

The Committee were informed that if approved for consultation, a 28-day consultation with the taxi trade and other stakeholders would take place. It was noted that many changes were however statutory and therefore would have to be implemented irrespective of any feedback. The Committee heard that due to purdah implications, the policy would not come back to the Committee for final approval until 17th June 2021. The Committee was reassured however that, the majority of the recommendations for improving the protection of children and vulnerable adults were already incorporated into existing policies. Therefore, a delay would not have a significant impact on the safety of licensed taxis in Chelmsford.

The Committee were taken through the draft policy by officers and noted the new or significant amendments highlighted by officers throughout the document. These included;

Objectives of licensing

- Ex Parte hearings
- Clarify approach to complaints and whistleblowing
- Private Hire Driver licences
- Drivers behaviour and dress, codes of practice
- Clarify approach to late renewal applications
- Disclosure & Barring Service requirements and Update service
- Revised conviction policy
- Use of JR3 register
- Safeguarding training
- Medical certification
- Proprietors suitability criteria
- DBS checks for Operators' staff and employment of offenders policy
- Incentives for electric vehicles
- Grant without prejudice
- Licence conditions amended as applicable
- Mechanical inspection standards

The Committee asked questions on some of the changes and officers provided some further information and clarified specific areas. The Committee agreed that the document should be clarified at paragraph 1.13.3 so as to not discourage someone from making a complaint if they did not have the full details listed. The Committee agreed to replace the word 'yearly' with 'annually' at the various points it was in the draft policy.

The Committee agreed they were happy for the draft policy to go out for formal consultation. It was noted by the Chair that the policy would come back to the Committee for final approval on 17 June 2021.

RESOLVED that;

1. the draft policy be accepted as proposed and be formally consulted on with the below changes and clarifications;
2. paragraph 1.13.3 be clarified so as not to discourage someone from making a complaint if they did not have the full details listed and;
3. the word 'yearly' be replaced with annually throughout the document and;
4. the matter from the green sheet to be clarified with legal services, regarding UK/EU Driving licences.

(7.06pm to 7.53pm)

6. Urgent Business

There were no matters of urgent business and Item 7 had been adjourned to the next meeting.

The meeting closed at 7.53pm

Chair