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## General Licensing Committee

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Tuesday, 15 February 2022 from 7.00 pm - 7.54 pm.

**PRESENT:** Councillors Cameron Beart, Derek Carnell (Chairman), Mike Dendor, Tim Gibson, Peter Macdonald, Lee McCall, Richard Palmer, Eddie Thomas, Mike Whiting and Tony Winckless (Vice-Chairman).

**OFFICERS PRESENT:** Billy Attaway, Robin Harris and Charlotte Hudson.

**OFFICERS PRESENT (Virtually):** Della Fackrell, Chris Hills, Jo Millard, Julie Oates and Jo Thomas.

**ALSO IN ATTENDANCE:** Councillors Simon Fowle.

**ALSO IN ATTENDANCE (Virtually):** Councillors Roger Clark, Councillor Tim Valentine - Cabinet Member for Climate Change and Ecological Emergency and Steve Davey.

### **APOLOGIES:**

#### 590 **Emergency Evacuation Procedure**

The Chairman ensured that those present were aware of the emergency evacuation procedure.

#### 591 **Minutes**

The Minutes of the Meeting held on 1 July 2021 (Minute Nos. 127 – 132) and the Extraordinary Meeting held on 9 September 2021 (Minutes Nos. 255 – 259) were taken as read, approved and signed by the Chairman as a correct record.

The Minutes of the following Sub-Committees were accepted by the Chairman:

Licensing Sub-Committee 15 September 2021 (10 am) Minute Nos. 276 – 280  
Licensing Sub-Committee 15 September 2021 (11.30 am) Minute Nos. 281 – 285  
Licensing Sub-Committee 12 October 2021 (10 am) Minute Nos. 361 – 364  
Licensing Sub-Committee 12 October 2021 (2 pm) Minute Nos. 365 - 369

#### 592 **Declarations of Interest**

Councillor Eddie Thomas declared a Disclosable Non-Pecuniary Interest in respect of item 7, Taxi Policy Revision, as he was a Driver and Vehicle Standards Agency (DVSA) approved driving instructor. Councillor Thomas left the meeting when the item was discussed.

### **Part B for information**

#### 593 **Public Session**

No one had registered to speak in the Public Session.

#### 594 **Taxi Tariff**

The Licensing Officer introduced the report which asked Members to consider the current taxi tariff and whether officers should proceed with a consultation with the taxi trade to change the current

tariff. The officer said that Swale Borough Council (SBC) was the 8<sup>th</sup> highest tariff in the County and placed 54<sup>th</sup> in the Country. She informed Members that the current tariff did not include a 50% extra charge for Sundays and the rate at which the fare increase was calculated in 10p increments rather than 20p increments. Both of these options were used by the majority of other local authorities in the Country. The Licensing Officer wanted to make Members aware that an increase in taxi tariff reflected the current increase on fuel prices and the cost of living, but could have a knock-on effect on local residents as getting a taxi could become too expensive.

Members were invited to ask questions and comments made were summarised as follows:

- Concerned with increased taxi fares but welcomed the consultation;
- recognised the fine knife edge between cost of living and earning enough to live;
- there were currently a very small amount of taxi drivers on the Isle of Sheppey and thought an increase in fares would encourage new drivers;
- an increase in taxi fares could make it difficult for taxi operators to receive contracts and customers;
- a reduction in bus services in the Borough could result in more people being reliant on taxi services so it was key the pricing was right; and
- recognised that the number of taxi's available at train stations had dropped.

Councillor Cameron Beart proposed the recommendation and this was seconded by Councillor Richard Palmer.

**Resolved:**

- (1) That the process to amend the current maximum scale of fares for licensed hackney carriages operating within the borough (taxi tariff) be proceeded.**
- (2) That authority be given to consult with the taxi trade and that officers return to a future meeting of the General Licensing Committee so that Members can consider the results of the consultation and approve a tariff of their choice.**

**595 Taxi Driver Remedial Courses**

The Licensing Officer introduced the report which set-out a remedial driving course for the licensed taxi and private hire drivers who appeared before a Licensing Sub-Committee. She explained to Members that the driver would be suspended until such time they had successfully completed a course. The Licensing Officer drew attention to Appendix J which set-out the Taxi Licensing and Enforcement policy. She said that Appendix III showed the different training providers and course options. She said that some providers ran less courses than others, but some held remote/virtual courses.

Members were invited to ask questions and the comments made were:

- Why was there few details for the other providers and only Green Penny or Blue Lamp?;
- if Members gave the drivers a 'preferred' choice they might not choose the correct course;
- drivers did not always understand the policies that they must follow and thought extra training would help their knowledge;
- could drivers be stopped from picking the cheapest course?; and
- considered that some courses only ran at weekends and some drivers worked then.

In response, the Licensing Officer said that the other providers only listed either weekends or virtual courses and she felt that this was not the right approach to take. She said that Green Penny and Blue Lamp gave drivers a wider variety of choice on the day of the course as well as the type of course. The Legal Officer also commented to say that if Members agreed this recommendation then it would be down to the Licensing Sub-Committee hearing to determine what course the driver would need to go on. He went on to specify that if the course was the most expensive course then the driver would have to undergo that course and would not be able to change to a cheaper course.

The Chairman asked Members to consider each recommendation separately.

Councillor Mike Whiting proposed that Members introduce the remedial driving courses for Swale Licensed taxi and private hire drivers as an enforcement option for a Licensing Sub-Committee, and this was seconded by Councillor Lee McCall.

Councillor Peter MacDonald proposed that officers should use Green Penny and Blue Lamp as the preferred training provider and asked that officers make the necessary arrangement to utilise them. This was seconded by Councillor Tony Winckless.

**Resolved:**

- (1) That remedial driving courses for Swale licensed taxi and private hire drivers as an enforcement option for a Licensing Sub-Committee, where the reason for the hearing is related to their driving and/or conduct be introduced.**
- (2) That Green Penny and Blue Lamp be used as the preferred training providers and licensing officers make the necessary arrangements to utilise them.**

596 **Taxi Policy Revision**

The Licensing Officer introduced the report which contained the draft revised Hackney Carriage and Private Hire Licensing Policy and the proposed consultation to be used when drafting the new policy. The officer drew Members attention to Appendix II which outlined the main changes to the policy. The Licensing Officer added that paragraph 5.5 of the report stated that the recommendations would be considered at a future General Licensing Committee but wanted to make Members aware that the Council would be changing to a Committee based system and that the results of the consultation would be considered by the new relevant committee.

Members were invited to ask questions and comments made included:

- The Council needed to be careful with the new rules around electric vehicles and euro 6 vehicles as changing fleet vehicles could be costly;
- concerned about 'out-pricing' drivers but understood that electric and hybrid vehicles would be cheaper in the future;
- would like to see more training given to drivers and operators on anti-idling;
- concerned that new euro 6 regulations could result in many drivers being unable to register their vehicle as it would be older than 6 years;
- could SBC still allow applications with vehicles up to 8 years old?;
- if SBC worked on bringing the cost down for drivers and operators this would increase the amount of taxi's in the Borough;
- could the document be updated to remove reference to the Disability Act on page 45 of the report?;
- how would officers provide training as referred to page 57 of the report?;

- recognised the need for change to taxi vehicles as from 2030 petrol or diesel cars would no longer be sold in the UK;
- how did this new policy requirements for emission standards and Ultra Low Emissions Vehicle (ULEV) vehicles compare to other Councils?; and
- noted electric vehicles were more expensive to buy but would be cheaper for taxi operators to maintain.

In response, the Licensing Officer said that education and promotion of the anti-idling legislation, as well as any training to help drivers and operators would be given by officers in order to make sure they understood. She commented that the Disability Act would be removed from page 45 and that mandatory training around disability awareness was being considered to protect drivers and passengers. She added that it would be Members decision as to what euro standard would be required of the taxi drivers and that upon investigation she found three different Local Authorities in the County had already introduced the same requirements that was being proposed to SBC Members. The Licensing Officer said there were nine Local Authorities that were not introducing any new requirements regarding emissions or ULEV vehicles as far as officers were aware.

The Chairman asked the committee to consider each recommendation separately.

Councillor Eddie Thomas proposed recommendation (1) and this was seconded by Councillor Mike Whiting

Councillor Cameron Beart proposed that the Council should stick to allowing drivers' to make a new application with an 8 year old vehicle and this was seconded by Councillor Lee McCall.

Councillor Mike Dendor proposed recommendation (3) and this was seconded by Councillor Cameron Beart.

***Resolved:***

- (1) That the draft revised Hackney Carriage and Private Hire Licensing Policy for consultation be approved.***
- (2) That the consultation arrangements be noted and determined that drivers should be allowed to continue to licence vehicles up to 8 years old.***
- (3) That a lower licence fee should be offered for cleaner vehicles through a variable licence fee table.***

Chairman

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All minutes are draft until agreed at the next meeting of the Committee/Panel