

## Licensing & Appeals Committee – 18 January 2022

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Minutes of the meeting of the **Licensing & Appeals Committee** held on **18 January 2022** when there were present:-

Chairman: Cllr A L Williams  
Vice-Chairman: Cllr D S Efde

Cllr M R Carter

Cllr Mrs E P Gadsdon

Cllr M Hoy

Cllr L J Newport

Cllr Mrs L Shaw

Cllr P J Shaw

Cllr C M Stanley

Cllr Mrs C A Weston

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs R R Dray, J N Gooding, T D Knight, Mrs J E McPherson and M G Wilkinson.

### **OFFICERS PRESENT**

S Greener

S Worthington

W Szyszka

- Principal Licensing Officer

- Principal Democratic and Corporate Services Officer

- Democratic Services Officer

### **9 MINUTES**

The Minutes of the meeting held on 30 September 2021 were approved as a correct record and signed by the Chairman.

### **10 DECLARATIONS OF INTEREST**

Cllr M R Carter declared a non-pecuniary interest in Item 6 of the agenda relating to the Hackney Carriage and Private Hire Licensing Policy by virtue of his employment as a taxi driver.

### **11 CONSULTATION ON THE REVIEW OF THE STATEMENT OF LICENSING POLICY (GAMBLING ACT 2005)**

Members considered the report of the Assistant Director, People and Communities on the Statement of Licensing Policy (Gambling Act 2005) 2022 – 2025 and the result of a statutory consultation on the policy.

In response to a Member query, officers advised that the primary difference between gambling and betting machines was due to the values that patrons were allowed to stake and withdraw.

Cllr A L Williams moved a Motion, seconded by Cllr Mrs L Shaw, that the recommendation set out at paragraph 8 of the Report be approved.

### Recommended to Council

That the Statement of Licensing Policy (Gambling Act 2005) 2022 – 2025 be approved for adoption and publication. (ADPC)

(This was unanimously agreed.)

### 12 PROPOSAL TO INTRODUCE AN 'EARN AS YOU LEARN' PRIVATE HIRE DRIVER'S BADGE

Members considered the report of the Assistant Director, People and Communities providing Members with the introduction of an 'earn as you learn' private hire drivers' badge to encourage new drivers into the trade.

A Member raised a concern with regard to Friday and Saturday nights that were often subject to a high demand for taxi services and therefore suggested that the safeguarding training be provided before new drivers were granted their licence. A further comment was made around disability and that appropriate training should be provided to new drivers that would accommodate various specific requirements.

The officer advised that the knowledge schools that collaboratively work with the operators provided the safeguarding training themselves alongside Rochford District Council having had approved contractors to provide similar training. It was further emphasised that there should not be an issue with safeguarding training being provided for the drivers ahead of the official start date of their licence.

A Member queried whether applicants would have to wait one year should they fail the 3 attempts to undertake the knowledge test. It was clarified by the officers that this was the case and that after one year applicants could reapply.

A Member raised a concern over potential instances where new drivers would not have had sufficient training and therefore would risk charging wrong fares or undertaking wrong or lengthy routes. A further question was asked whether training could be completed by the applicants before being granted the scheme badge.

In response, officers advised that bookings would be taken in advance and therefore the drivers would not be eligible to work on the ranks. Furthermore, the drivers would have prior knowledge of correct routes in advance as a result of advanced bookings. It was further clarified that should any driver be found to consistently overcharge or take the wrong route, an investigation would be undertaken which could potentially suspend the driver for misconduct. In relation to training being undertaken prior to the 6-month initial period, officers confirmed that the applicants were free to complete training over a flexible timescale, though, the proposed timescale provided applicants with guidance as to what was expected of them.

In response to a Member query as to whether they would be eligible to apply for another 'Earn as You Pay' licence, if their learner's licence expired, officers advised that this would depend on whether the scheme was running after 12 months.

Officers further confirmed that learners had 9 months to complete the remaining requirements in order to obtain their full licence. Should they fail to complete the training within the delegated timeframe, the licence would automatically expire and they would not be able to renew it. Consequently, on the expiry of the licence, the learner would have to re-apply for the badge or present a case as to why they should receive different treatment based on their circumstances.

A Member raised that safeguarding training had gone up in price whilst the cost of becoming a taxi driver had also gone up. It was also observed that the Equality and Diversity Implications section of the report, did not include reference to any safeguarding implications.

A Member asked whether the scheme was aimed at alleviating shortage of drivers on Friday and Saturday nights and questioned what would happen if the drivers were not prepared to cover night shifts on weekends.

Officers confirmed that there were shortages of drivers on Friday and Saturday nights, particularly within areas of high footfall. The requirement for new drivers to work on Friday and Saturday nights would be imposed by the operators themselves. It was also highlighted by officers that (in the last 2 years) there was a 30% reduction in Hackney Carriage Drivers, with 309 in January 2020 compared to 215 in January 2022.

Another Member asked how essential the Knowledge Test was for drivers and whether Sat-Navs were considered to overcome the risk of overcharging.

Officers advised that the Licensing team did undergo discussions around standards through direct conversations with those drivers who had expressed the view that the knowledge test was vital; it gave customers reassurance that drivers had gone through this extensive criterion. The Knowledge Test was not easy, thus it demonstrated that drivers were committed to learning routes and places of interest that were relevant to Rochford. With regard to Sat-Navs, drivers could refer to these, but there would always be a risk of the Sat-Nav suggesting a wrong route.

Cllr D S Efde moved a Motion seconded by Cllr M Hoy, that Recommendation 1 at paragraph 8.1 of the Report be amended to include the requirement for these drivers to undertake safeguarding and disability training prior to commencing work.

This was unanimously agreed.

### Resolved

- (1) That the Rochford District Council, Hackney Carriage and Private Hire Driver, vehicle and operator licence conditions be amended to allow the "earn as you learn" scheme to operate and that these drivers undertake safeguarding and disability training prior to commencing work.
- (2) That the effectiveness of the scheme be reviewed after 12 months in partnership with the trade. (ADPC)

(This was unanimously agreed.)

The meeting commenced at 7.30 pm and closed at 8.17 pm.

Chairman .....

Date .....

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