

Licensing & Appeals Committee – 9 March 2023

Minutes of the meeting of the **Licensing & Appeals Committee** held on **9 March 2023** when there were present:-

Chairman: M G Wilkinson
Vice-Chairman: Cllr A L Williams

Cllr A G Cross

Cllr D S Efde

Cllr R Lambourne

Cllr Mrs C M Mason

Cllr Mrs J E McPherson

Cllr G W Myers

Cllr Mrs L Shaw

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs E P Gadsdon, M Hoy, D W Sharp and Mrs D P Squires-Coleman.

OFFICERS PRESENT

S Greener - Principal Licensing Officer
S Worthington - Principal Democratic & Corporate Services Officer
C Brook - Licensing Officer
K Sims - Corporate Services Officer

68 MINUTES

The Minutes of the meeting held on 21 July 2022 were approved as a correct record and signed by the Chairman.

69 SUMMARY REPORT OF THE EFFECTIVENESS OF THE 'EARN AS YOU LEARN' SCHEME

The Committee considered the report of the Director of Communities & Health inviting them to review the effectiveness of the 'Earn as You Learn' Scheme implemented in January 2022.

It was noted that there was a typographical error in paragraph 2.4 of the report; '2016' at the end of the paragraph should be replaced with '2026.'

In response to Member questions the following points were noted:-

- The Council currently has 32 schools contract only drivers.
- The 'Earn as You Learn' scheme only commenced 3 months after January 2022.
- One of the taxi operators made it compulsory for their 'Earn as You Learn' drivers to attend Knowledge School on a weekly basis; other operators found that it was more of a priority for their 'Earn as You Learn' drivers to start earning first and then attend Knowledge School before the Knowledge Test deadline.

- The Licensing Team specifically asked 'Earn as You Learn' drivers which taxi operator they were with; around 90% of those who hadn't yet sat the Knowledge Test were with the same operator. The Team therefore went back to that operator to re-emphasise the Council's expectations in respect of the Knowledge Test for 'Earn as You Learn' drivers.
- 'Earn as You Learn' drivers were using satnav to get around the District prior to passing the Knowledge Test. The Licensing Team had, however, asked operators to install signage on the backs of drivers' headrests in 'Earn as You Learn' vehicles which encouraged drivers to feed back to the Team on how the drivers were doing. A lot of positive feedback had been received so far with only one piece of negative feedback received in the past 12 months.
- Vehicles for 'Earn as You Learn' drivers are assigned via their operators who enforce the rule that they can only take bookings for pre-booked taxis. Operators would be breaching the rules if 'Earn as You Learn' drivers took fares outside of that.
- 9 of the current 'Earn as You Learn' drivers have passed the Knowledge Test with 12 applicants for new 'Earn as You Learn' badges. The Knowledge Test is very challenging for new drivers to get through. Satnav does not always give the correct or best routes. The Knowledge Test is based on knowledge of the Rochford District.

Cllr Mrs J E McPherson moved a Motion, seconded by Cllr Mrs C M Mason, that the 'Earn as You Learn' scheme be retained, subject to amendments, and this was approved unanimously on a show of hands.

In response to further questions, the following points were noted:-

- While officers understood Members' reluctance to penalise the operator that had managed to get a high percentage of its 'Earn as You Learn' drivers through the Knowledge Test by restricting the number of badges to 10 at any one time, officers felt that this was a balanced approach and favoured a level playing field for all taxi operators.

Cllr Mrs J E McPherson felt that it would be beneficial to amend the scheme requiring all 'EAYL' drivers to attend Knowledge School once a week.

Cllr Mrs C M Mason supported restricting the number of 'EAYL' badges to 10 per operator at any one time but also considered it important that pick up points for 'EAYL' drivers should be restricted to the Rochford District. She moved a Motion, seconded by Cllr Mrs J E McPherson, that 'EAYL' drivers should attend Knowledge School once a week and that attendance at Knowledge School should be compulsory. If a driver's attendance falls below 70% then they should be removed from the scheme. This was carried unanimously on a show of hands.

There was some debate around the stipulation that 'EAYL' drivers could only pick up passengers within the Rochford District with some Members concerned

that this could restrict drivers' earning capacity. Other Members, however, considered this acceptable, given that once 'EAYL' drivers had passed their Knowledge Test they would receive their driver's badge and be able to pick up outside the Rochford District.

In response to a Member question around the pass mark for the Knowledge Test, officers advised that drivers had to answer 56 multiple choice questions in 35 minutes, broken down by roads, routes, places of interest; Highway Code and Rochford District Council taxi licence conditions. Drivers could get 1 question wrong in each section, apart from the final one on conditions, for which they could get 2 questions wrong. In addition, they are able to re-take, e.g., 2 sections of the test if they are close to success. For those that need it, the test can also be taken verbally, rather than via computer.

It was emphasised that the scheme was an accredited operator scheme.

Cllr Mrs C M Mason moved a further Motion, seconded by Cllr Mrs L Shaw, that the restriction should be enforced that 'EAYL' pick ups should be within the Rochford District. This was carried on a show of hands.

(7 Members voted in favour of the Motion, 3 voted against and 0 abstained.)

There was a debate around the issue of number of 'EAYL' badges issued to operators within the District with some Members considering it appropriate to put in place an overall figure of the number of badges, of 40 badges, shared out amongst the 'EAYL' drivers rather than limiting the number available to taxi operators. Other Members, however, believed that the same number of 'EAYL' badges should be given to each taxi operator, in the interests of fairness.

Cllr A G Cross moved a Motion, seconded by Cllr C M Stanley, that rather than restrict each operator to 10 EAYL badges at any one time, there should be an overall cap of 40, to be determined on a first come first served basis. This was lost on a show of hands.

(2 Members voted in favour of the Motion, 7 voted against and 1 abstained.)

Cllr A L Williams moved a Motion, seconded by Cllr Mrs J E McPherson, that each of the 4 main operators are allocated 10 'Earn as You Learn' spaces under an Operator Development Scheme. Once a driver has passed their Knowledge Test or completed the 9-month period, the slot is made available to the operator to hire another applicant. This was carried on a show of hands.

(7 Members voted in favour of the Motion, 3 against and 0 abstained.)

In response to a Member question as to when would be a suitable time frame in which to review the scheme, as amended, officers confirmed that a period of 9 months would be appropriate.

Cllr Mrs C M Mason moved a Motion, seconded by Cllr D S Efde, that the 'EAYL' scheme be reviewed in 9 months and this was approved on a show of

hands.

(9 Members voted in favour of the Motion, 0 against and 1 abstained.)

Resolved

- (1) That the 'Earn as You Learn' scheme be retained, subject to amendments.
- (2) That 'EAYL' drivers should attend Knowledge School once a week and that attendance at Knowledge School should be compulsory. If a driver's attendance falls below 70% then they should be removed from the scheme.
- (3) That 'EAYL' pick ups should be within the Rochford District.
- (4) That each of the 4 main operators are allocated 10 'Earn as You Learn' spaces under an Operator Development Scheme. Once a driver has passed their Knowledge Test or completed the 9-month period, the slot is made available to the operator to hire another applicant.
- (5) That the 'EAYL' scheme be reviewed in 9 months. (DCH)

The meeting closed at 8.55 pm.

Chairman

Date

If you would like these minutes in large print, Braille or another language please contact 01702 318111.