

**LICENSING BOARD
13th May, 2025**

Present:- Councillor Hughes (in the Chair); Councillors Beresford, Adair, Bennett-Sylvester, Bower, Brent, T. Collingham, Z. Collingham, Garnett, Harper, Jones, Monk, Steele, Stables, Sutton and Thorp.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

2. LICENSING SERVICE UPDATE 2024/25

Consideration was given to the report, presented by the Licensing Manager, which provided detailed performance in relation to the Licensing Team's performance against the Taxi and Private Hire Licensing Performance Framework for 1st April, 2024 to 31st March, 2025, as well as an overview of the general performance of the Service.

The report also sought the views of the Board on some proposed changes to the Hackney Carriage and Private Hire Licensing Policy (which would be the subject of formal consultation later in the year).

The Licensing Manager guided the Licensing Board through the detail in the report and provided further information on the areas of:-

- The number of on the spot inspections of taxis
- The percentage of taxis found to be compliant with the licensing regime during on the spot inspections
- Performance against the Licensing Service Performance Management Framework
- The performance of the Council's Licensing Team in relation to quality assurance and administrative aspects of the Service

In addition to the above, the report also detailed some of the current challenges being faced by the Service, outlined key areas of work and introduced the upcoming partial review of the Hackney Carriage and Private Hire Licensing Policy with regard to clarification on the vehicle age and emissions requirements and amendment to vehicle signage and driver identification. Both of these aspects will be the subject of formal consultation later in 2025.

The report provided a summary of enforcement action that had taken place between April 2024 and March 2025 including details of actions taken by Enforcement Officers along with enforcement actions taken by other officers within the Licensing Service and the outcomes of Licensing Board Sub-Committee hearings. It highlighted:-

- 121 vehicles and drivers had been inspected of which 97% of vehicles (97%) and 94% (114) of drivers were found to be compliant with licensing requirements
- The vehicle non-compliance related to missing signage, absence of a first aid kit and failures of vehicle lights. All of the defects that were identified were rectified the same day
- Driver non-compliances related to the failure of the driver to wear their ID in the required manner. All of the drivers had their ID badge in their vehicle, and the non-compliances were rectified immediately (except in one case where the driver went home for his badge and then returned to the inspection site within 15 minutes).
- Targets had been set against 16 performance measures of which 2 were off target
- There were an additional 4 measures that were being monitored but no target set
- Between 1st April, 2024 and 31st March, 2025, 15 appeals had been listed for consideration by the Magistrates Court in relation to decisions made by Licensing Officers and/or Licensing Board Sub-Committee (13 related to driver matters and 2 to an operator licence). One of the appeals had been withdrawn by the appellant prior to the hearing and another discharged by way of a Consent Order. Of the remaining 13 appeals, 8 had yet to be finally determined by the Court, 5 had been considered resulting in the Court finding that the Council's course of action was correct and the appeals dismissed
- Recruitment and staff retention was a continuing issue with 5 vacancies within the Licensing Team
- The Service was in the process of seeking a replacement to the existing IT systems and working closely with colleagues within the Council's ICT and Procurement Teams to ensure a suitable replacement system was obtained at the earlier opportunity
- Taxi and Private Hire Licensing Policy was renewed in 2023 with many of the new requirements implemented throughout 2024. Although the revision was significant, the Council has committed to undertake a further review this year as stated above

Discussion ensued with the following issues raised/clarified:-

- Enforcement Officer roles were generic and did not cover particular geographical areas
- Licensing Enforcement Officers would carry out unannounced inspections of vehicles and drivers in 5 ways:-
 - officers would visit a taxi rank and carry out unannounced checks
 - go to a private hire operator base and request the operator to call in a certain number of vehicles
 - wait with Home to School Transport Officers at schools and carry out checks on vehicles transporting a child/ren to school

- usually in conjunction with the Police, cars flagged down and an inspection carried out at the roadside
 - whilst out conducting other duties Enforcement Officers may carry out an inspection on a vehicle that was dropping off a passenger
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- The Police could stop any vehicle that travelled on the highway within their district e.g. South Yorkshire Police could stop a taxi that was displaying Wolverhampton City Council taxi licence plates. However, who would be the enforcing authority to deal with any compliance issues that arose and what standard would they be applying i.e. Rotherham or Wolverhampton. Discussions were ongoing with local MPs on the issue of out of town vehicles working in the town
 - Work was ongoing to resolve the wearing of ID badges that satisfied the Council's licensing conditions/the law/the drivers with passengers still able to see that the driver was licensed
 - The Council, in conjunction with the National Crime Agency, used the Public Interest Immunity Test in the Magistrates and Crown Courts, for cases where there was extremely sensitive information that agencies did not want the person concerned to be aware of. This had now been adopted by other local authorities
 - Someone who had been under investigation by the National Crime Agency and had been discharged from the investigation/released without conviction and then applied for a taxi driver licence, contact would be made with the Agency for further information as to why the decision to discontinue was made. Consideration would then be given when in receipt of the full information
 - There were strong links with South Yorkshire Police, National Crime Agency and Children and Young People's Services, however, the links with Adult Social Care needed to be strengthened. PIPT (Person in a Position of Trust) focussed on protecting adults from harm, neglect or abuse and a referral was made when there were concerns about a person in a position of trust. Rotherham had now amended their PIPT process to include taxi drivers
 - Other local authorities would share any information they had but sometimes there was a delay given pressures of work
 - The carrying of vacancies did impact on the Team's workloads
 - Consideration be given to revising the stretched 100% target for a licence to be determined within 3 working days of all required checks being completed

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- Work was taking place on updating the local knowledge test for potential taxi drivers and to revised signage with proposed generic Council branded door signs with the same for plates and badges
- The Vehicle Age Policy would be updated to show cars registered from 1st September, 2016 in order to comply with the 10 year requirement

Resolved:- (1) That the report be noted.

(2) That training for Licensing Board Members be carried out internally by Licensing Officers, together with Legal Advisors, and include case studies pertinent to Rotherham.

(3) That the monthly update be sent to the licenced taxi drivers also be sent to Licensing Board Members for information.