

**LICENSING BOARD
25th February, 2022**

Present:- Councillor Hughes (in the Chair); Councillors Baker-Rogers, Bennett-Sylvester, Browne, Castledine-Dack, Clark, T. Collingham, Griffin, Jones, McNeely, Mills, Monk, Pitchley, Reynolds, Taylor, Sansome and Wyatt.

Apologies for absence were received from Councillors Ellis, Ball and Barker.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

2. TAXI AND PRIVATE HIRE LICENSING PERFORMANCE UPDATE (Q1 - Q3 2021/22)

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 quarters 1-3 of the 2021/22 financial year.

In addition, an overview of the general performance of the Service during the current financial year was also included.

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

The submitted report also provided details in the appendices of the performance against the Licensing Performance Management Framework for and Enforcement Data for quarters 1-3 2021/22 which was implemented to address the concerns raised in Louise Casey's report.

The report provided a summary of enforcement action that had taken place between April and December, 2021 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:-

- 63 vehicles and drivers had been inspected during the first 3 quarters of 2021/22 of which 76% of vehicles (48) and 86% (54) were found to be compliant with licensing requirements. This was updated at the

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meeting to include a further 19 inspections carried out in January, 2022 of which all the drivers were compliant and 8 of the vehicles found to be non-compliant. This gave a total of 89% of drivers and 72% of the vehicles compliant with the requirements so far for 2021/22

- The vast majority of vehicle non-compliance related to signage and dealt with by way of formal warning
- The majority of drivers found to be non-compliant was due to the driver not wearing their ID badge
- Targets had been set against 16 performance measures of which 3 were off target
- There were an additional 4 measures that were being monitored but no target set
- Between April and December, 2021, 10 appeals had been listed for consideration by the Magistrates Court in relation to decisions made by Licensing Officers and/or the Licensing Board Sub-Committee. 3 of the appeals had been withdrawn by the appellant prior to the hearing, 2 appeals were discharged by way of a Consent Order and of the remaining 5, 4 were successfully defended by the Council

During discussion on the report and supporting appendices the following issues were clarified:-

- If information was received from a member of the public/Councillor about their personal experience in a taxi, it would be recorded as a complaint and investigated separately, however, it would inform the general intelligence about licenced vehicles
- There were a number of different ways random checks on taxis were carried out; Council Officers walking around the Town Centre and an inspection carried out on waiting taxis; visit to the operating base with a list of vehicles that were working that day; evening inspections in areas where there tended to be high taxi activity and joint inspections with the Police of out-of-town vehicles
- Grading of non-compliance i.e. would the issue have an impact on public safety and if so it was given a very high priority and usually resulted in the vehicle or driver being suspended. Missing signage/non-wearing of badge would be dealt with through advice or a warning. If it related to tyres or cameras, the licence would be suspended
- MOT requirements did not apply to licenced vehicles as long as the licence was in place and the vehicle had been inspected at the Council's garage as part of the licensing process. If a licence was

suspended, the vehicle did not have a licence in place and, therefore, did not have a MOT

- If the Council won an appeal at Court it would pursue costs but it was largely at the discretion of the Court as to what level the costs were
- Due to the pandemic and Riverside House reception being closed, the method of issuing licence plates had changed. Whereas previously the driver would have visited the reception at Riverside House with a slip of paper and a plate issued, the Licensing Service was reliant on the drivers sending documents through by email. This had created a backlog which had been cleared by the secondment of Council officers. A Kickstart apprentice was now assigned this duty
- Often other authorities who licensed taxis did not have the same standards as Rotherham with regards to the age of vehicles or cameras
- Under the revised Licensing Policy, if an operator had its licence revoked they could not operate under that name for 12 months
- Following receipt of notification from the Licensing Service that a licence has been revoked, the driver had 21 days to submit an appeal; during that time they may continue driving until such time as the appeal was heard. If unsuccessful, the driver still had the right of appeal to Crown Court and again could continue driving until that was concluded
- The majority of requests for taxi camera downloads were from the Police/insurance companies
- There were significant recruitment challenges within the Licensing Team with a number of vacancies and long term sickness
- Local Government Association review of the action plan
- Looking to enhance the relationship with the taxi licensing trade
- The current Hackney Carriage and Private Hire Licensing Policy would expire in 2023
- The potential need to review the House to House Collection Policy

Resolved:- That the report be received and the contents noted.