

MEETING:	General Licensing Regulatory Board
DATE:	Wednesday, 22 December 2021
TIME:	2.00 pm
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present

Councillors Green (Chair), Bowser, Cherryholme, Danforth, Eastwood, J. Higginbottom, Hunt, Newing, Tattersall, Wilson and Wray

Also in attendance

Mr D Wilson (Licensing Consultant) representing one of the respondents to the consultation on the Taxi and Private Hire Policy.

15 Declaration of Interests

Councillor Hunt declared a non-pecuniary interest in Minute No 17 'Taxi and Private Hire Policy Review Consultation Responses 2021' in view of him submitting a response to that consultation in relation to the climate emergency and use of electric vehicles. He took no part in the discussion and voting in relation to this part of the item.

Councillor Tattersall declared a non-pecuniary interest in Minute No 17 'Taxi and Private Hire Policy Review Consultation Responses 2021' in view of her submitting a response to that consultation in relation to the use or CCTV. She took no part in the discussion and voting in relation to this part of the item.

16 Minutes

The minutes of the meeting held on the 27th October, 2021 were taken as read and signed by the Chair as a correct record.

17 Taxi and Private Hire Policy Review Consultation Responses 2021

The Service Director Legal Services submitted a report requesting Members to consider the outcome of the consultation on the review of the Draft Taxi and Private Hire Policy and recommending that the policy be forwarded to the Cabinet and Council for formal approval.

Members were reminded that the Department for Transport had recommended that all licensing authorities make publicly available a cohesive policy document that brought together all their procedures on taxi and private hire vehicle licensing. It was suggested that this should include policies on convictions, a 'fit and proper; person or 'suitability' test, conditions of licence and vehicle specifications and standards.

The overriding and primary overriding objective of such a policy was to protect the public by ensuring that the licensing regime protected the vulnerable. A policy for Barnsley had subsequently been produced and a statutory consultation had been undertaken from the 25th June to 3rd September, 2021. The report summarised the main issues contained within the Draft Policy a copy of which was appended.

A total of four responses to the consultation exercise had been received and these were outlined within the report together with officers responses to each. The majority of the responses had been accepted and incorporated within the Policy as appropriate, however, there were five upon which a decision was required from members and these related to:

- The suitability policy and whether or not the Council should fully adopt the Institute of Licensing Suitability Guidance
- Medical requirements and whether or not medical reports should be provided every year from the age of 60
- Application fees and whether or not these should be refunded in the event that a licence was not granted
- The driver topographical/knowledge test and whether this should be retained
- A request to require operator livery to be semi permanently affixed to vehicles. It was noted that should the Board wish to pursue this option, this could not be incorporated within the current policy as it would require further consultation with the trade

After discussion of all the representations detailed above, it was:

RECOMMENDED TO CABINET AND COUNCIL that the Draft Taxi and Private Hire Licensing Policy 1st January, 2022 to 31st December, 2026, as amended in accordance with the report now submitted and incorporating the Boards recommendations on the consultation as detailed below, be approved:

- (a) That the Institute of Licensing Suitability Guidance be adopted in its entirety;
- (b) That the requirement for a medical report to be produced every year from the age of 60 be retained;
- (c) That the D4 medical reports from a company called 'Doctors on Wheels' be no longer accepted for the reasons detailed within the report;
- (d) That the application fee charged be non-refundable on the grounds that the Council is permitted to charge for the administration involved in the processing and granting of a licence; and
- (e) That the topographical test be maintained as a means of ensuring that all licenced drivers have a good working knowledge of the area

RESOLVED that the proposal to require operator livery to be semi-permanently affixed to vehicles be supported in principle and that a report on this matter be submitted to the Board following further consultation with the hackney carriage and private hire trade.

Chair