

Crawley Borough Council

Minutes of Licensing Committee

Monday, 9 November 2020 at 7.00 pm

Councillors Present:

M G Jones (Chair)

B J Burgess (Vice-Chair)

M L Ayling, D Crow, J Hart, K L Jaggard, G S Jhans, K McCarthy, J Millar-Smith, C J Mullins
and B A Smith

Also in Attendance:

Councillor R D Burrett

Officers Present:

Mez Matthews

Democratic Services Officer

Kareen Plympton

Health, Safety and Licensing Team Leader

Jess Tamplin

Democratic Services Support Officer

Astrid Williams

Senior Lawyer (Solicitor)

Kate Wilson

Head of Community Services

Apologies for Absence:

Councillor F Guidera

Absent:

Councillor D M Peck

1. Disclosures of Interest

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Licensing Committee held on 15 September 2020 were approved as a correct record and signed by the Chair.

3. Public Question Time

There were no questions submitted by members of the public.

4. Department for Transport Statutory Taxi and Private Hire Standards - Overview and Consultation

The Committee considered report [HCS/22](#) of the Head of Community Services. The Team Leader for Environmental Health and Licensing (Licensing Team Leader) introduced the report, which set out the Department for Transport's (DfT) new statutory standards for local authorities' licensing of taxis and private hire vehicles. The report recommended that Crawley Borough Council as the Licensing Authority undertakes an initial public consultation to raise awareness of the DfT standards, and that the results of this consultation be reported to the Licensing Committee in early 2021 along with any proposed changes to the Council's Private Hire and Hackney Carriage Licensing Policy.

The Licensing Team Leader summarised the DfT standards, which requested licensing authorities put in place measures including (but not limited to):

- The 'fit and proper' test for drivers
- Enhanced DBS checks for licensed drivers and basic DBS checks for vehicle booking and dispatch staff
- A convictions policy
- Criminality checks for vehicle proprietors
- The Multi-agency Safeguarding Hub (MASH)
- A national information-sharing system on revoked or refused licences (the NR3 database)
- Safeguarding training for licensed drivers
- A local consultation to determine the value and effectiveness of installing CCTV in licensed vehicles
- Various record-keeping requirements.

The Committee assumed a detailed discussion on the report. It was noted that the proposed consultation would welcome responses from both the taxi trade and the public. A further consultation would be undertaken in 2021 which would seek opinions on the changes to the Council's Private Hire and Hackney Carriage Policy caused by implementation of the DfT standards. It was also confirmed that the DfT standards were a minimum requirement for all licensing authorities in order to form a standardised national approach, and a 'compelling reason' would be necessary should a council decide to change or omit any of the standards from its licensed vehicle policy.

The Committee discussed the DfT standards regarding convictions and criminality checks. It was heard that Council staff currently undertake a variety of checks on those applying to become licensed drivers, and that these checks would become more rigorous and regular under the new DfT standards (for example, six monthly enhanced DBS checks and registration to the national NR3 database).

The DfT's standard regarding CCTV in licensed vehicles was discussed. The Licensing Team Leader confirmed that CCTV was not mandatory at this stage but may become so in the future. Views would be sought via the consultations in order to inform the Council's decision of whether to add mandatory CCTV to its Private Hire and Hackney Carriage Policy, which was underpinned by the need to maintain public safety. Following a query from a Committee member it was confirmed that if CCTV was in operation, vehicles would be required to display clear signage to inform passengers. The Committee also heard that CCTV had previously been installed in licensed vehicles on an individual case-by-case basis where there had been conduct and/or policy breaches.

Following a query from a Committee member regarding cross-border hiring via app-based providers, it was explained that this was a nationally legislated matter and not subject to local authority control, but that the DfT standards aimed to set a consistent approach to licensed vehicle policy nationwide. The Committee also heard that local authorities across Sussex were working cooperatively to ensure cohesion of their licensed vehicle policies.

It was clarified that the date of 31 January 2021 (stated in section 4.6 of report HCS/22) was not a deadline for full implementation of the DfT standards, but a deadline for providing the DfT with an update and a steer on the Council's consideration of the standards.

The Committee requested that its thanks be communicated to the officers responsible for report HCS/22 and the associated work that was undertaken.

A recorded vote was then taken on the recommendations in accordance with the Council's Virtual Committee Procedure Rules. The Committee agreed to a proposal from the Chair that recommendations 2.1, 2.2, and 2.3 be voted upon together, through a single recorded vote. The names of the Councillors voting for and against the recommendations, along with any abstentions, were recorded as follows:

For recommendations 2.1, 2.2, and 2.3:

Councillors Ayling, B J Burgess, Crow, Hart, Jaggard, Jhans, Jones, McCarthy, Millar-Smith, Mullins, and B A Smith. (11)

Against recommendations 2.1, 2.2, and 2.3:

None.

Abstentions:

None.

RESOLVED

- 1) That the Licensing Committee notes report HCS/22, including Appendix A, the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards, published on 21st July 2020.
- 2) That the Committee authorises the Head of Community Services, in consultation with the Cabinet Member for Environmental Services and Sustainability, to undertake a consultation exercise for a minimum of 4 weeks in order to raise awareness of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards.
- 3) That the Committee notes that a further report will be prepared for consideration at the Licensing Committee in the new year which details the relevant responses to this consultation, along with the proposed changes to the Council's Private Hire and Hackney Carriage Licensing Policy to incorporate the new statutory standards as well as a proposed implementation timetable to comply with the same.

Closure of Meeting

With the business of the Licensing Committee concluded, the Chair declared the meeting closed at 8.16 pm

M G Jones (Chair)

