

# Minutes

## Licensing Committee

Friday, 16 February 2024,



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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### Committee Members present

Councillor Pam Bosworth (Chairman)  
Councillor Elvis Stooke (Vice-Chairman)

Councillor Ashley Baxter  
Councillor Harrish Bisnauthsing  
Councillor Steven Cunnington  
Councillor Patsy Ellis  
Councillor Jane Kingman  
Councillor Robert Leadenham  
Councillor Nikki Manterfield

### Cabinet Members present

Councillor Phillip Knowles (Cabinet Member for Corporate Governance and Licensing)

### Officers

Graham Watts (Monitoring Officer)  
Heather Green (Licensing Manager)  
Mandy Braithwaite (Legal Advisor)  
Amy Pryde (Democratic Services Officer)

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#### 43. Apologies for absence

Apologies for absence were received from Councillors Helen Crawford and Paul Fellows.

#### 44. Disclosure of interests

There were none.

#### 45. Minutes of the meeting held on 2 February 2024

The minutes of the meeting held on 2 February 2024 were proposed, seconded and **AGREED**.

#### 46. Hackney Carriage and Private Hire Licensing Policy - Review of Department of Transport Consultation Response

The Licensing Manager presented the report.

The current Policy had been adopted and became operational on 1 April 2021. The Policy was fundamental to protecting public safety and keeping people from harm and provided the framework upon which the Authority delivers its statutory functions relating to hackney carriage and private hire licensing.

The Department for Transport (DfT) issued a public consultation document, which the Licensing Committee considered on 10 May 2022 and approved the response submitted on behalf of South Kesteven District Council. In November 2023, the DfT's consultation response was issued.

The Cabinet Member for Corporate Governance and Licensing provided further background and history of the policy. Concern was raised on the opinion of local taxi drivers.

The Cabinet Member for Corporate Governance and Licensing read out a statement on behalf of Councillor Tim Harrison.

Members queried the timeframe in which a decision had to be made on the policy.

It was confirmed that the policy decision had no official deadline. It was further clarified that dependent upon the decisions Licensing Committee would take during the meeting in regard to consultations that may be voted for, that the consultation response may not be considered by Full Council on 29 February 2024.

Appendix 1 provided a table showing a summary of areas in the revised guidance which were inconsistent with the Council's existing Policy. The roles of licensing authorities were discussed individually:

## **Role of Licensing Authorities**

### **3.7 – Changing licensing policy and requirements**

The Committee queried whether any consultation with taxi drivers had taken place.

One Member questioned how regularly English tests were completed in regard to the review of licences.

The Licensing Manager confirmed that the review of licences were every 3 years. It was noted that there had been a number of complaints from passengers on the level of English spoken by drivers.

The English test taken by licence holders was discussed, drivers were not required to re-take the English test at the point of renewing their licence.

It was highlighted that drivers were required to provide proof of GCSE English qualification to be exempt.

It was proposed, seconded and **AGREED** to only review licences already issued, it was agreed for this to not go out to consultation.

## **Accessibility**

### Wheelchair Accessibly Vehicles (WAV)

Members discussed the different sizes and types of wheelchairs and whether they would fit into certain taxis.

It was highlighted that drivers had a duty of care to assist a disabled passenger. It was driver's discretion as to whether they could transport a disabled passenger safely in regard to the size of the wheelchair they can accept, as there was no defined 'standard' size of wheelchair.

A query was raised around accepting assistance dogs into vehicles.

It was proposed, seconded and **AGREED** to not consider amending the policy and for this to not go out to consultation.

### Communication barriers

4.2. It was proposed, seconded and **AGREED** to not consider amending the policy and for this to not go out to consultation.

4.2.1. Clarification was sought around drivers refusing to accept assistance dogs.

It was confirmed that drivers may refuse assistance dogs, on the basis that the driver has a medical exemption.

It was proposed, seconded and **AGREED** to amend the policy to ensure the Council provides large print/braille to licence holders and for this to not go out to consultation.

4.2.2. It was proposed, seconded and **AGREED** to not consider whether a wider definition be included within the policy and for this to not go out to consultation.

### 4.7 – Assistance for all passengers

Members discussed the extent of assistance that could be provided by a taxi driver to a disabled passenger.

The Licensing Manager clarified that the extent of assistance was not covered within the policy, however, licence holders were required to undertake disability training to assist disabled passengers. and add into the policy re assisting passengers to leave or when leaving the vehicle.

It was proposed, seconded and **AGREED** for the assistance of passengers entering or leaving the vehicle to be included within the policy. It was agreed for this to not go out to consultation.

## **Enforcing the Licensing Regime**

### 5.5 – Points based enforcement systems

The Committee discussed the effectiveness of the 12-month duration for points and whether any evidence saw any improvements from drivers.

Members suggested that the duration be extended from 12 months to 3 years.

It was proposed, seconded and **AGREED** to increase the duration for points to 3 years for drivers and 5 years for operators. It was agreed for this to not go out to consultation.

## **Driving Licences**

### 6.3 – Disability awareness

It was proposed, seconded and **AGREED** to add a requirement of training in disability awareness for drivers and for this to not go out to consultation.

### 6.4 – Driver proficiency

Members raised concerns around the costings of training/assessments on attitudes and behaviours. It was noted that taxi companies may not have the funds to provide training to drivers.

It was proposed, seconded and **AGREED** to include the requirement for taxi and private hire drivers to undertake training/assessments focussed on attitudes and behaviour, at first application and renewal. It was agreed for this to not go out to consultation.

### 6.5 – Acceptance of non-uk driving licence

It was proposed, seconded and **AGREED** to not change the requirement of drivers having to hold a driving licence issued by the UK or EC/EEC for 12 months which had been registered with DVLA. It was agreed for this to not go out to consultation.

### 6.13 – Vehicle condition check

Members raised the importance of ensuring a vehicle was safe before transporting members of the public.

It was proposed, seconded and **AGREED** to accept the requirement for a driver to undertake a walkaround check before the vehicle is used. It was agreed for this to not go out to consultation as a whole, however, consultation should take place on whether drivers should be issued with 6 points if the checks were not completed.

*(The meeting adjourned for a 5 minute break)*

## **Private Hire Operator Licensing**

### 7.2 – Disability Awareness

It was proposed, seconded and **AGREED** to include disability awareness training for all customer facing roles and people managing service delivery. It was agreed for this to not go out to consultation.

## **Vehicle Licensing**

### 8.3 – Pedicabs & Rickshaws

It was proposed, seconded and **AGREED** to not consider amending this aspect of the policy and for this to not go out to consultation.

### 8.4 – Vehicle age limits

The Committee discussed whether other authorities had age limits of vehicles.

One Member suggested that the age limit be changed to 8 years from first registration. The average miles a car could do per year was discussed.

Concern was raised on health and safety of public in relation to climate control with older vehicles.

It was highlighted that cars registered after September 2015, were compliant with Euro 6 emission monitoring.

It was proposed, seconded and **AGREED** for a 4-week consultation to take place and for the results to be taken to Full Council on 23 May 2024.

### 8.5 – Vehicle safety ratings

It was proposed, seconded and **AGREED** to not consider amending this aspect of the policy and for this to not go out to consultation.

## 8.6 – Environmental considerations

It was proposed, seconded and **AGREED** to add the below requirement to the policy:

- *Euro 6 was September 2014 (new approvals) and September 2015 (most new registrations). So if your car was registered after this date, it's likely to be Euro 6 compliant.*

It was agreed for this to go out to consultation (as at 8.4 – Vehicle age limits).

*(Councillor Harrish Bisnauthsing left the meeting at 12:20)*

## 8.9 – Accessible Fleet

Members queried whether there was a taxi register on vehicles that were suitable for wheelchair users.

It was confirmed that taxi registers of accessible fleet was published online.

It was proposed, seconded and **AGREED** to not consider adding the requirement to the policy and to not go out to consultation.

## 8.11 – Accessibility equipment

It was proposed, seconded and **AGREED** that the requirement was desirable but not enforceable. It was agreed to not go out to consultation.

## 8.12 – Vehicle identification and signage

It was proposed, seconded and **AGREED** to not consider adding the requirement to the policy and to not go out to consultation.

## 8.13 – Passenger capacity

It was proposed, seconded and **AGREED** to continue to take the seating capacity from the V5 document. It was agreed to not go out to consultation.

## 8.14 – Carrying children

Members queried whether the child's parent or the driver should be responsible in relation to licensing capacity of the vehicle.

It was proposed, seconded and **AGREED** to include that children aged 3 years and over count towards the vehicle capacity. It was agreed to not go out to consultation.

#### 8.16 – Partitions in vehicles

It was proposed, seconded and **AGREED** to not consider adding the requirement to the policy and to not go out to consultation.

#### 8.17 – In vehicle visual and audio recording – CCTV

One Member queried whether Local Authorities would pay for CCTV in their licensed fleet vehicles. The cost of CCTV in fleet vehicles could cost anywhere between £300-£500.

Concern was raised on issues in regard to GDPR around CCTV in taxi vehicles.

It was proposed, seconded and **AGREED** to not consider adding the requirement to the policy and to not go out to consultation.

#### **47. Any other business which the Chairman, by reason of special circumstances, decides is urgent.**

There were none.

#### **48. Close of meeting**

The Chairman closed the meeting at 13:10.