

Regulatory Committee Agenda

25 March 2021 at 7pm

Remote Meeting

Membership

Councillor L.A. Mascot (Chair)
Councillor D.G Jones (Vice Chair)

and Councillors

R.H. Ambor, L. Ashley, D.J.R. Clark, A.E. Davidson, J.A. Frascona,
P.V. Hughes, A.M. John, G.B.R. Knight, R.J. Lee, L.A. Millane, S.
Rajesh, I.C. Roberts and T.E. Roper

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523 email Daniel.bird@chelmsford.gov.uk

Regulatory Committee

25 March 2021

AGENDA

1. Apologies for Absence

2. Minutes

To consider the minutes of the meeting held on 25 February 2021

3. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting, provided they have indicated that they wish to do so and have submitted an email address to which an invitation to join the meeting and participate in it can be sent.

5. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

Part II (Exempt Items)

To consider whether the public (including the press) should be excluded from the meeting during consideration of the following agenda items on the grounds that they involve the likely disclosure of exempt information specified in the appropriate paragraph or paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 indicated in the Agenda item

6. Review of a Hackney Carriage and Private Hire /Dual Drivers Licence

Category: Paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972

(Information relating to any individual)

Public interest statement: It is not in the public interest to disclose the content of this report because the information in it concerns the interests and circumstances of an individual who has an expectation that such information would not normally be released to the public. To do otherwise would establish a precedent for the future treatment of personal information.

MINUTES

of the

REGULATORY COMMITTEE

held on 25 February 2021 at 7pm

Present:

Councillor L. Mascot (Chair)
Councillor D.G. Jones (Vice-Chair)

Councillors R.H. Ambor, L. Ashley, D.J.R. Clark, A.E. Davidson, J.A. Frasca, P.V. Hughes, A.M. John, R.J. Lee, L.A. Millane, S. Rajesh and I.C. Roberts

1. Apologies for Absence

No apologies for absence were received.

2. Minutes

The minutes of the meeting held on 19 November 2020 were agreed as a correct record and signed by the Chair.

3. Declaration of Interests

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

4. Public Question Time

No questions were asked or statements made.

5. Taxi Licensing Policy

The Committee received a report which asked them to consider a single reference Taxi Policy Document along with any additional and amended items that were proposed to be included as directed by the Department for Transport Statutory and Private Hire Vehicle Standards issued in July 2020. It was noted that the document focused on 'fit and proper persons', licence conditions and vehicle standards.

A green sheet had been circulated by officers prior to the Committee. This detailed a proposed change to the policy at paragraph 2.2.2 regarding the types of driving licences. It was noted that this change was no longer being proposed and officers were clarifying the situation. It was noted that this would be resolved before sending the draft policy out for consultation.

The Committee was informed that the Council did not yet have a single source policy document and the recent review had involved collating the existing local arrangements that had been established over many years. It was noted that the new proposed document had been established using current policy and been updated in line with recommendations from best practice and the Department for Transport guidance. The Committee heard that other local authority policies had been looked at by officers to establish areas of best practice.

The Committee were informed that if approved for consultation, a 28-day consultation with the taxi trade and other stakeholders would take place. It was noted that many changes were however statutory and therefore would have to be implemented irrespective of any feedback. The Committee heard that due to purdah implications, the policy would not come back to the Committee for final approval until 17th June 2021. The Committee was reassured however that, the majority of the recommendations for improving the protection of children and vulnerable adults were already incorporated into existing policies. Therefore, a delay would not have a significant impact on the safety of licensed taxis in Chelmsford.

The Committee were taken through the draft policy by officers and noted the new or significant amendments highlighted by officers throughout the document. These included;

Objectives of licensing

- Ex Parte hearings
- Clarify approach to complaints and whistleblowing
- Private Hire Driver licences
- Drivers behaviour and dress, codes of practice
- Clarify approach to late renewal applications
- Disclosure & Barring Service requirements and Update service
- Revised conviction policy
- Use of JR3 register
- Safeguarding training
- Medical certification
- Proprietors suitability criteria
- DBS checks for Operators' staff and employment of offenders policy
- Incentives for electric vehicles
- Grant without prejudice
- Licence conditions amended as applicable
- Mechanical inspection standards

The Committee asked questions on some of the changes and officers provided some further information and clarified specific areas. The Committee agreed that the document should be clarified at paragraph 1.13.3 so as to not discourage someone from making a complaint if they did not have the full details listed. The Committee agreed to replace the word 'yearly' with 'annually' at the various points it was in the draft policy.

The Committee agreed they were happy for the draft policy to go out for formal consultation. It was noted by the Chair that the policy would come back to the Committee for final approval on 17 June 2021.

RESOLVED that;

1. the draft policy be accepted as proposed and be formally consulted on with the below changes and clarifications;
2. paragraph 1.13.3 be clarified so as not to discourage someone from making a complaint if they did not have the full details listed and;
3. the word 'yearly' be replaced with annually throughout the document and;
4. the matter from the green sheet to be clarified with legal services, regarding UK/EU Driving licences.

(7.06pm to 7.53pm)

6. Urgent Business

There were no matters of urgent business and Item 7 had been adjourned to the next meeting.

The meeting closed at 7.53pm

Chair