

Runnymede Borough Council

REGULATORY COMMITTEE

23 September 2004 at 7.30 p.m.

Members of the Committee present: Councillors D.W.Parr (Chairman), Mrs P.I. Broadhead (Vice-Chairman), Mrs F.J. Barden, P.A. Greenwood and B.J. Relph.

Members of the Committee absent: None.

Councillors A.J. Davis and Mrs M. Roberts also attended as observers with the permission of the Chairman under Standing Order 29.2 but took no part in the proceedings.

231. MINUTES

The Minutes of the meeting of the Committee held on 23 June 2004 were confirmed and signed as a correct record.

232. DRAFT CHARITIES BILL

The Committee received for information a report which updated Members on progress with the draft Charities Bill.

Members were informed that prior to the Bill's consideration by Parliament it was being looked at by a Parliamentary Scrutiny Committee.

The Scrutiny Committee was looking in detail at the twelve new definitions of charitable purpose, at the new unified licensing system to bring together street and house to house collections, the move towards self regulation and whether a charging structure should be introduced.

It was confirmed that although Officers had requested it, no guidance had been received from the Home Office in respect of the future status of the Council's own Street Collections Criteria, which had since their introduction in 1999 been successful in reducing the amount of unauthorised collections in the Borough.

The Committee was advised that a further report would be brought to Members once the Scrutiny Committee had published its report on 30 September 2004.

233. PRIVATE HIRE OPERATORS, DRIVERS AND HACKNEY CARRIAGE VEHICLE LICENSING CONDITIONS

The Committee's approval was sought for amendments to the conditions for Private Hire Operators, Drivers and Hackney Carriage Vehicle Licensing.

Members were advised that the Conditions had last been reviewed in November 1999. Since then developments in the trade had necessitated updates and clarifications.

The Committee agreed that it would be sensible to apply the same procedures in respect of the Criminal Records Bureau checks to Private Hire Operators as were currently applied to drivers of Private Hire Vehicles and Hackney Carriages. It was also considered appropriate that enhanced checks with the CRB should be made for both Operators and Drivers.

In respect of medical standards, Members considered there was a necessity for the guidance for class 2 entitlement issued by the DVLA which Officers use to assess fitness to drive to be underlined in the conditions.

Members agreed it would be very helpful that in future both Operators and Drivers would be obliged to notify the Council of whom they were employing and working for respectively.

The Committee discussed the proposal to alter the Insurance regime. It was acknowledged that in so doing the onus would be placed on Officers to request Insurance details from Drivers if the Council's brokers reported that a particular driver had not renewed their Insurance. The Committee was assured that any such incidents would be dealt with swiftly by writing to the driver and suspending their licence until their Insurance was in place.

The Committee learned that there were many more Multi Person Vehicles (MPVs) operating in the Borough and that the conditions should be amended to reflect the particular safety issues pertaining to them. Members agreed that egress from MPVs was more difficult and that in the event of an accident if people in the front of the vehicle were trapped the rear passengers might need an alternative escape route, assuming they were able to move freely.

Members noted that the advice of the Ambulance Service was that people should not be moved in the event of an accident. However, it was agreed that to facilitate the escape of people able to do so an additional emergency glass hammer and appropriate fire extinguisher should be provided for the use of passengers in the rear compartment of MPVs.

It was agreed that Officers would consult with the Fire Service in respect of the provision of an appropriate fire extinguisher and that within the instructions given to Drivers that the weak point on the vehicle window be appropriately identified.

The Committee agreed it was necessary to alter the wording in respect of the requirement to display the Vehicle Licence Plate to reflect the modern design of some cars which did not have a bumper on which to place the plate. Drivers would be directed by the Licensing Officer as to where exactly the plate should be displayed.

Members noted that Window Discs were a new requirement for all but exempted vehicles and that these should always be displayed on the front windscreen whilst the licence was current.

Members were keen to have the conditions strengthened in order to provide a cost effective and well enforced service.

RESOLVED that –

the amended Private Hire and Hackney Carriage Licensing Requirements and Conditions be adopted as set out below:-

- i) the requirements in respect of Private Hire Operators and Drivers, be amended, to include that they be subject to an enhanced Criminal Records Bureau check;**
- ii) the conditions for Private Hire Operators Licences, be amended to include an additional condition to read ‘Certification of Persons Employed - The name and licence number of drivers, and the name and address of proprietors of vehicles that are currently working for the operator must be notified to the Council not less than every three months’;**
- iii) in respect of the conditions for Private Hire Drivers Licences, an additional condition 12 be included to read ‘Certification of Persons Employed – The driver shall notify the Council of the name and address of the operator for whom they are working. If the driver changes operators the driver will notify the Council of the new operator’s details as and when this change occurs’;**

- iv) **the requirements in respect of Private Hire and Hackney Carriage Drivers be amended to include that the certificate of fitness to drive obtained from their registered medical practitioner be as defined by reference to the guidance issued by the Drivers Medical Unit of the DVLA, class 2 entitlement;**
- v) **in respect of the summary of legal requirements for Private Hire Vehicles, requirement 4 be amended to read 'Vehicle Plate – Sections 48 and 75/Window Disc' with an additional sentence 'A Window Disc must be displayed in the front windscreen at all times as directed by the Licensing Officer' and the appropriate conditions and procedures for both Private Hire and Hackney Carriage Vehicle Licences be amended accordingly;**
- vi) **the requirements in respect of the position of the licence plate for both Private Hire Vehicles and Hackney Carriages be amended to require the plate to be displayed on the rear of the vehicle, other than on the rear screen, as directed by the Licensing Officer;**
- vii) **in respect of the provision of Insurance details the appropriate conditions for both Private Hire and Hackney Carriages be amended to read ' b) Evidence of renewal of Insurance cover shall be submitted, by the proprietor, to the Director of Technical Services, within 7 days of the request for evidence being made'; and**
- viii) **Under Section 2 of the conditions for Private Hire and Hackney Carriage Vehicle Licences, and the associated procedures, an additional requirement be included – 'an additional fire extinguisher and emergency hammer are provided for the emergency use of passengers in the rear compartment of MPVs only'.**

234. PRIVATE HIRE OPERATOR FEES – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Committee considered a proposal to introduce a banding system for Private Hire Operator Fees according to the number of vehicles controlled by operators.

Members noted that a consultation exercise had been undertaken and that the views of the operators and drivers had been taken into consideration in producing the band levels proposed.

The Committee was advised that there were 24 operators in the Borough controlling approximately 250 vehicles between them. The income produced would be in the region of £4080 per annum which was considered adequate to cover the cost of administration and inspection bearing in mind that the service was not intended to be profit making. Officers confirmed that the number of vehicles held by the operator on registration would apply for the whole year.

RESOLVED that –

- i) **the following structure be introduced to replace the current standard Private Hire Operator Licence fee of £170; and**

No. of Licensed Vehicles	Fee Level	Fee £
1- 5	1	140
6 – 20	2	200
21 – 50	3	260
over 51	4	400

ii) subject to no representations being received, the levels proposed be set from 1 November 2004.

235. HACKNEY CARRIAGE FARE INCREASE – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Committee received and considered a proposal to increase the Hackney Carriage table of fares and introduce a discretionary soiling charge to assist drivers with cleaning vehicles.

Members were advised that the Hackney Carriage fares were last increased in July 2002.

A consultation exercise had been undertaken and the views of the operators and drivers had been taken into consideration.

In approving the proposals Members noted that the fares would be in line with other Surrey districts.

RESOLVED that –

subject to no representations being received, the proposed Hackney Carriage Table of Fares, as amended and attached at Appendix ‘A’ be approved and adopted with effect from 1 November 2004.

Chairman

(The meeting ended at 8.45 p.m.)