

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Licensing Committee

Date: Monday, 13th January, 2025

Place: Committee Room 5 - Civic Suite

Present: Councillor S Wakefield (Chair)
Councillors D Richardson (Vice-Chair), S W Allen, M Borton, A Dear,
M Faulkner-Hatt, J Harland, C Mulroney, J Norman, M Sadza,
J Warren and C Webster

(*Substitute in accordance with Council Procedure Rule 30.)

In Attendance: Councillors T Cox
A Byrne, A Penn, J Roberts and S Cox

Start/End Time: 2.30 - 3.45 pm

6 Apologies for Absence

Apologies for absence were received from Councillor Nadeem (no substitute).

7 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor J Harland, Minute 9 (Proposal to consult on Taxi Licensing Policy) – long term acquaintance of Mr Callaghan, who was a taxi driver in the City and also in attendance at the meeting.

(b) Councillor S Wakefield, Minute 9 (Proposal to consult on Taxi Licensing Policy) – was previously a private hire taxi driver more than 10 years ago.

8 Minutes of the Meeting held on Wednesday 21st August 2024

Resolved:-

That the Minutes of the Meeting held on Wednesday, 21st August 2024 be confirmed as a correct record and signed.

9 Proposal to Consult on Taxi Licensing Policy

The Committee considered the report of the Executive Director for Environment & Place, which presented the draft Hackney Carriage and Private Hire vehicle licensing policy. The report sought approval of the draft policy and to was seeking permission to commence a six-week consultation on the draft policy to gather feedback from stakeholders.

The Regulatory Services Manager briefly introduced the report and explained that a number of productive meetings had been held with taxi trade representatives in order to gain feedback.

It was highlighted that the Council had a statutory responsibility for licensing Hackney Carriage and private hire services and at present, licensing conditions were dispersed across multiple documents, potentially causing inconsistencies in enforcement and a lack of clarity for licence holders. It was hoped that the proposed unified policy would address these issues and set out clear professional standards for driver conduct, vehicle standards and operator responsibilities.

The Committee asked a number of questions regarding the draft policy, which were responded to by the Regulatory Services Manager. Questions and requests of points to clarify in the next draft of the policy document included:

- Environmental considerations – the Euro 6 emissions standard was set as a minimum; however, it was expected that Euro 7 standard would be introduced by Government in July 2025.
- The use of Electric Vehicle's for taxi and private hire vehicles and whether the policy could be strengthened to encourage EV use. It was highlighted that there were difficulties around EV infrastructure and widespread EV use was not possible until the infrastructure could support this – which would also require significant investment by operators.
- The length of the consultation (6 weeks) and governance process for the policy thereafter. It was confirmed that after the consultation was complete the final policy document would be submitted to the Licensing Committee for approval before being submitted to Full Council for adoption.
- Medical tests for drivers and the responsibility for drivers to undergo eye tests and report any changes as necessary – it was clarified that taxi drivers were subject to the same rules issued by the DVLA as other drivers in terms of epilepsy and glaucoma. Group 2 Medical Standards also applied. Councillors queried whether an additional requirement for eye tests every 2 years could be introduced and neglect to undertake these tests could be subjected to penalty points.
- Domestic Violence and DBS checks – it was confirmed that Domestic Violence was classified as violence and drivers had a duty to disclose through the DBS process.
- To clarify the differences between Private Hire and Hackney Carriage rules within the report.
- Tiredness and fatigue – whether a 'maximum' limit of hours of operation could be introduced, or wording included to encourage drivers to prepare for adequate rest breaks. Officers noted that this could be difficult from a legal or enforcement perspective.
- If 'personal hygiene' could be introduced under dress code / personal conduct to ensure good personal hygiene standards were met.
- A link to by-laws so that drivers could be aware of these – although it was recognised these formed part of the 'knowledge' test.
- It was confirmed that there was no legal requirement for call-handlers to undertake the driver 'knowledge' test.
- Some Councillors queried whether it was possible to set a "cap" or limit on one company owning and operating more than 50% of the City's fleet in order to prevent market dominance.
- The availability of vehicles to accommodate disabled passengers – it was confirmed that approximately one third of the fleet were capable of

accommodating wheelchair users, however it was the responsibility of the public to request an appropriate vehicle upon making a booking.

- It was clarified that the Council was awaiting the results of the unmet demand Hackney Carriage survey, and the results of this determined the limit of Hackney Carriage licences.
- It was noted that one call centre was based overseas. Councillors were keen to ensure call centres were based within the City.

The Chair permitted Councillor T Cox (who was not a member of the Licensing Committee) to briefly speak on this matter. Councillor T Cox expressed disappointment that Councillors had not been more widely consulted on the draft policy before going out to consult and felt that feedback should be sought from all Councillors (not exclusive to those members of Licensing Committee) and the trade before going out to consult on the policy.

The Chair permitted Mr T Callaghan to briefly comment on the taxi policy.

There was a brief discussion on the rules surrounding the operation of Hackney Carriage and private hire vehicles, the differences between prebooked fares and ability for drivers to collect passengers outside of their licensed area.

Following the debate and comments from Members, the Chair proposed to move the following new recommendations, which were seconded by Councillor A Dear:

That the Licensing Committee:

- 1. Defer the proposed six-week public consultation period and instead request that officers amend the Hackney Carriage and Private Hire Vehicle Licensing Policy document, incorporating Councillors comments as set out above, before bringing a more complete version back to Licensing Committee for consideration and approval to consult.*
- 2. That legal advice be sought as a matter of priority so that Councillor's questions can be clarified in the policy document before being referred back to the Licensing Committee for consideration and consultation.*

The Committee unanimously agreed the new proposed recommendations, whereupon the Chair declared these to be carried.

Resolved:

That the Licensing Committee:

1. Defer the proposed six-week public consultation period and instead request that officers amend the Hackney Carriage and Private Hire Vehicle Licensing Policy document, incorporating Councillors comments as set out above, before bringing a more complete version back to Licensing Committee for consideration and approval to consult.
2. That legal advice be sought as a matter of priority so that Councillor's questions can be clarified in the policy document before being referred back to the Licensing Committee for consideration.

Chair: _____