

Meeting 3: Final meeting with officers to review progress and finalise recommendations

Guests: Andy Callingham, Service Manager; Public Protection, Francesca Whyley, Senior Solicitor; Rachel Pentlow, Licensing Officer.

Referring to the feedback on the second meeting provided earlier, the following points were made:

1. Driver NVQ

AC informed Members that having researched the NVQ and finding it viable, a decision would need to be made whether the Council should either **require** or **promote** an NVQ. He advised Members that the best option might be to commence promoting only, and review the effectiveness of the strategy further down the line. M. Paling suggested that prior learning could be taken into account, which may ameliorate the process for drivers. AC suggested that the requirement to pay would be the key issue.

M. Paling suggested that the Council work initially with the company in Gedling that currently delivers an NVQ, which would also then potentially incentivise other providers, if backed up by publicity and further liaison with local firms by the licensing team. FW flagged up the need to exercise caution in the development of this initiative - it should be made clear that achievement of the NVQ would not necessarily result in the granting of a licence.

The licensing team would like to address the issue of numbers first, by introducing the topography test, and the quality issue and NVQ proposal second, in close liaison with local firms.

2. Topography test

AC reported that Gedling is not as restrictive as some other Authorities, which is why the Council receives so many applications. Cases indicate however that putting boundary restrictions on applicants is inadvisable and would be open to challenge.

Findings from the visit to Rushcliffe strongly indicate that the topography test would be effective in significantly reducing demand - AC estimated that by introducing the test the Council may reduce the number of Hackney licence applications by 15 – 20%. This would not prevent applications from a wider geographical area, however this could be monitored and, if still an issue, addressed later.

FW endorsed the topography test as a reasonable approach to assist in determining whether the “fit and proper” test is met for licensing taxi drivers in Gedling. The cost of the test to the driver, estimated at £30 - £50, means that the initiative would have to be subjected to Equalities Impact Assessment.

AC informed Members that the team is currently recruiting to a half time administrative post and that post would be responsible for administering the topography test. The intention would be to implement a 12 month renewal period on

existing licences, following which the team would only need to address new applicants.

3. Carbon Emissions reduction

AC reported that the South Devon Eco Stars pilot was rolled out nationally and funded by DEFRA. The initiative aimed to encourage all fleet operators to improve the quality of their fleet in terms of emissions reduction. The scheme designates Air Management Areas and seeks to optimise transport routes and encourage better driving practices. Funding was granted to Gedling BC to enter the scheme and the team achieved commitment from a number of local fleet operators, including Sainsburys. AC reported that the South Devonshire pilot had begun to roll out the scheme to taxi companies. Since the funding ceased, there has been joint local authority commitment to deliver a conurbation wide Eco Stars scheme.

AC gave Members his commitment to progress discussions with Brendan Cox at DEFRA to establish a way of incorporating Taxi fleets into the structure. He reminded members however that participation in the scheme would be voluntary. As the scheme aims to encourage firms to move the quality of the fleet to more eco efficient vehicles, AC suggested that the Council could potentially be more restrictive with the Fleet Age procedures, however would need to be flexible within that. Firms would also need to be given a reasonable time frame to implement the desired changes.

RP explained that the Council does not currently specifically target older vehicles – to receive the initial plate vehicles must be under 5 years old, and must meet the criteria set down in the exceptional condition policy. She further reported that fleets in Gedling are in noticeably good condition when compared to other authorities.

AC confirmed that it is entirely feasible to take this forward using the DEFRA Eco Stars model and on Members recommendation would seek to have the proposal added to the DEFRA Transport Plan.

4. Taxi Licencing application forms and process

RP reported that the application guidance and forms had been reviewed a year ago, following which training had been delivered to customer services staff in the use of a 'passport office' system and approach, whereby a checklist of required inclusions guides the applicant through the process. The guidance was updated in April 2012 to incorporate the up to date fees and charges and the new style form was introduced in August 2012. Applications are now entirely processed by customer services before being passed to the Licencing team, who then deal with CRB checking. RP advised Members were advised that by July 2013 all old application formats will have been processed out and Members should see some improvement in the quality of applications. CRB has now been renamed the 'Disclosure and Barring Service' and more effectively addresses those issues with applications where convictions have been omitted. Applicants are not sent the Taxi Licensing Policy with the application form, but are directed to the link on the Council's website. Clients whose applications are referred to the Environment and Licensing Committee however do receive a copy of the policy, along with the Committee letter.

Use of Hearsay evidence

At the request of Members, FW clarified the protocol when dealing with hearsay evidence which came up at the recent Licensing training event at Mansfield.

Members were informed that hearsay evidence is admissible, however caution should be exercised in case it is vexatious, members would need to consider carefully and attach the appropriate weight to any hearsay evidence.

RP confirmed that in these cases, licensing officers encourage hearsay evidence to be submitted in writing for inclusion to the evidence presented at Committee. FW added that it would depend on the seriousness of the content of the evidence.