



*Castle House
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Tuesday, 22 November 2022

**Chairman: Councillor Mrs R Crowe
Vice-Chairman: Councillor I Walker**

Members of the Committee:

**Councillor L Brazier
Councillor Mrs B Brooks
Councillor M Cope
Councillor A Freeman
Councillor P Harris
Councillor R Jackson
Councillor Mrs S Michael**

**Councillor S Saddington
Councillor T Thompson
Councillor K Walker
Councillor R White
Councillor T Wildgust
Councillor Mrs Y Woodhead**

MEETING: General Purposes Committee

DATE: Thursday, 1 December 2022 at 6.00 pm

**VENUE: Castle House, Great North Road, Newark,
Notts. NG24 1BY**

**You are hereby requested to attend the above Meeting to be held at the time/place
and on the date mentioned above for the purpose of transacting the
business on the Agenda as overleaf.**

If you have any queries please contact Helen Brandham on helen.brandham@newark-sherwooddc.gov.uk 01636 655248.

AGENDA

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2. Declarations of Interests from Members and Officers	
3. Notification to those present that the meeting will be recorded and streamed online	
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9. Update on Performance and Enforcement Matters	21 - 25
 PART 4 - EXEMPT AND CONFIDENTIAL ITEMS	
10. Exclusion of the Press and Public	
<p>To consider resolving that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.</p>	
11. Minutes of Hackney Carriage & Private Hire Drivers Sub-Committee	26 - 28

Agenda Item 4

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **General Purposes Committee** held in the Castle House, Great North Road, Newark, NG24 1BY on Thursday, 22 September 2022 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)
Councillor I Walker (Vice-Chairman)

Councillor Mrs B Brooks, Councillor P Harris, Councillor R Jackson, Councillor S Saddington, Councillor T Thompson, Councillor T Wildgust and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor L Brazier (Committee Member), Councillor M Cope (Committee Member), Councillor Mrs S Michael (Committee Member), Councillor K Walker (Committee Member) and Councillor R White (Committee Member)

9 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

NOTED that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

10 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

11 MINUTES OF THE MEETING HELD ON 23 JUNE 2022

AGREED that the Minutes of the meeting held 23 June 2022 were a correct record and signed by the Chairman.

12 GENERAL PURPOSES COMMITTEE FORWARD PLAN (OCTOBER 2022 TO SEPTEMBER 2023)

The Committee considered and noted the Forward Plan from 1 October 2022 to 30 September 2023.

AGREED (unanimously) that the Forward Plan be noted and that the following items be added:

- i. Findings of Review of Taxi Fares (March 2023)
- ii. Possible Changes to the Livery of Hackney Carriage Vehicles (June 2023)

13 URGENT REVIEW OF HACKNEY CARRIAGE FARES

The Committee considered the report presented by the Business Manager – Public Protection which sought to update Members on the taxi fare review carried out and the options put forward for consideration. The report set out the results of the consultation on the proposed fare increase.

It was reported that the majority of comments had not been supportive of the proposed change to increase the basic cost represented on the taximeter prior to the journey commencing (the flag) by £1.00 with most respondents preferring a larger increase in fares. Paragraph 2 of the report set out the 3 options before Members for consideration.

In considering the report Members noted the comments of the respondents and that only 7 out of a potential 136 taxi drivers had replied to the consultation. The Business Manager advised that any increase needed to be balanced between still offering a fair price to the customer but also assisting the trade.

A Member queried whether it would be possible to progress the proposed increase as set out in Option 1 but then undertake a further review. The Business Manager advised that the cost of recalibrating the metre would be met by the Council but that the responsibility for any further costs would be a decision for the Committee. He also advised that if Members proposed alternative amendments these would need to be readvertised and consulted on again with the trade.

Members discussed the need to find a suitable balance to any changes, noting that a £1 increase on the flag was a relatively high percentage on £2.90. It was suggested that consideration also be given to lengthening the evening hours, subsequent mileage charges and the soiling charge.

Members also noted that any change to the metre had to be carried out in Nottingham and queried whether it was possible for it to be done within the district. The Business Manager advised that the company who carried out the work was based in Nottingham, but enquiries could be made as to whether it was possible for them to do this elsewhere.

AGREED (unanimously) that:

- a) the standard rate (Tariff 1) of £2.90 be increased by £1.00 to £3.90;
- b) the cost of recalibrating the taximeter to £3,90 would be met by the Council; and
- c) a full review of the current taxi fares be undertaken with immediate effect, such review to include all charges, with a report being presented to the March 2023 meeting of the Committee.

14 HACKNEY CARRIAGE VEHICLE LIVERY IN NEWARK & SHERWOOD

The Committee considered the report presented by the Business Manager – Public Protection which sought to update Members on the review of the current specification for the livery of Hackney Carriage Vehicles together with options for consideration.

The report set out the current controls in relation to vehicle specification requirements contained within the Taxi Policy, specifically advertising and taxi signage. Paragraph 2 of the report set out the proposals and options considered with a recommendation that no change be made to the livery of both Hackney Carriage and Private Hire Vehicles.

In considering the report Members noted the comments of the Business Manager that any change to vehicle specifications for Hackney Carriage or Private Hire Vehicles would be a financial burden on the trade.

In noting the comments, a Member stated that it was very difficult for a member of the public to know whether a taxi they were using was local to the area or from elsewhere and that a distinctive external livery would enable them to know. In acknowledging the current cost of living crisis he suggested that the trade be given an indication that the Council were considering the measure. He added that it would also be beneficial if signage inside the vehicle enabled passengers to identify the driver as, at present, it was only displayed on the windscreen. He suggested that it also be available on the back of the passenger seat.

AGREED (unanimously) that:

- a) no changes be made to the external livery of Hackney Carriage or Private Hire Vehicles;
- b) Officers undertake an immediate review of the internal livery of vehicles e.g. additional signage on the rear of passenger seats and report back to Committee their findings; and
- c) a further report be presented to Committee in June 2023 on possible changes to the livery of Hackney Carriage Vehicles in the district.

15 UPDATE ON PAVEMENT LICENCES AND REVIEW OF FEES

The Committee considered the report presented by the Business Manager – Public Protection which sought to advise Members of the current position with regard to Pavement Licences issued under the Business & Planning Act. Members' consideration of the current fees charged by the Council was also sought.

The report set out the background to the current pavement licence regime that had been introduced to support businesses with arrangements to trade effectively during the controls imposed as part of the response to the coronavirus pandemic, noting that it had not replaced the regime already in existence. It was reported that the Government had committed to making the provision of pavement licences, in England

and Wales, under the Business & Planning Act permanent. The new regime was set out within the Levelling Up & Regeneration Bill and would become law once that had passed through parliament.

It was reported that only 3 pavement licences had been issued by the district council, noting that there were no powers that could be used to enforce the requirement to have a valid licence. In considering the cost-of-living crisis for households and businesses, it was proposed to make no change to the current fees charged as set out in paragraph 2.3 of the report and that no changes be made to the licence conditions, as detailed in Appendix 1 to the report.

In considering the report Members noted that under the Levelling Up & Regeneration Bill the proposed application fee for a new licence was £500. They considered this to be too high as any increase in business by utilising such a licence would be marginal and requested that the proposed fee be challenged. It was suggested that there should be a scale of charges e.g. the larger the pavement area utilised the higher the fee.

AGREED (unanimously) that:

- a) the temporary extension to the pavement licence regime until 30 September 2023 be noted;
- b) the Government's policy proposal that the regime become permanent, subject to parliamentary approval, be noted; and
- c) the fee for a new licence application and the renewal of an existing licence remain unchanged.

16 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Senior Licensing Officer into the activity and performance of the Licensing Team which included details of current ongoing enforcement issues.

Information contained within the report related to the number of applications for grants and renewals of licences for Hackney Carriage; Private Hire; and Ambulance Drivers together with those for Hackney Carriage and Private Hire Vehicles. A note of ongoing enforcement activity was also listed with information as to what action had been taken to-date.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.54 pm.

Chairman

Forward Plan of the General Purposes Committee Decisions from 1 December 2022 to 30 November 2023

This document records some of the items that will be submitted to the General Purposes Committee over the course of the next twelve months.

These committee meetings are open to the press and public.

Agenda papers for General Purposes Committee meetings are published on the Council's website 5 days before the meeting <http://www.newark-sherwooddc.gov.uk/agendas/>. Any items marked confidential or exempt will not be available for public inspection.

Meeting Date	Subject for Decision and Brief Description	Contact Officer Details
02.03.23	Taxi & Private Hire Vehicle Licensing: Best Practice Guidance for Licensing Authorities in England	alan.batty@newark-sherwooddc.gov.uk
02.03.23	Review of Livery for the Taxi Fleet	alan.batty@newark-sherwooddc.gov.uk
02.03.23	Consideration of Options to Encourage the use of Electric Vehicles for the Taxi Fleet	alan.batty@newark-sherwooddc.gov.uk
02.03.23	Review of Hackney Carriage Fares	alan.batty@newark-sherwooddc.gov.uk



Report to: General Purposes Committee Meeting – 1 December 2022

Director Lead: Matthew Finch, Director – Communities & Environment

Lead Officer: Nicola Rowlands, Senior Licensing Officer, Extn. 5894

Report Summary	
Report Title	Potential Removal of the Kirk Gate, Newark Taxi Rank
Purpose of Report	To inform Members of the results of the consultation exercise to potentially remove the Taxi Rank on Kirk Gate, Newark
Recommendations	That Members: a) consider the comments from the licensed trade and businesses regarding the removal of the Taxi Rank at Kirk Gate, Newark. b) inform Nottinghamshire County Council Highways of their current position regarding the rank.
Reason for Recommendation	Nottinghamshire County Council will be able to keep their temporary Traffic Regulation Order in place for the Kirk Gate Taxi Rank or begin the statutory consultation/advertising to make the current order permanent.

1.0 Background

1.1 There are three taxi ranks operating within Newark Town centre. These are set out in the table below.

Middlegate (junction with Stodman Street)	7 spaces	24 hours
Kirk Gate (outside Violin School)	4 spaces	08:00 to 18:00
Castle Gate	3 spaces	18:00 to 06:00

1.2 The rank on Middlegate is a rank serving both day-time town centre users and night-time users. The Castlegate rank serves the evening economy and the Kirk Gate rank designed to support town centre day-time users.

1.3 During the early months of the pandemic a number of temporary traffic regulations were introduced. This resulted in the closure of Middlegate and as a result some parking areas were no longer available. To compensate the Kirk Gate taxi rank designation was amended so that the space became a temporary parking space with limited waiting.

1.4 Councillor Mrs Saddington had been approached by a local business who has requested that the change to the rank be made permanent, thus removing the layby as a taxi rank and providing more town centre parking.

- 1.5 Members will be aware that a survey of taxi users and the taxi trade was undertaken in autumn last year. The Kirk Gate rank was specifically mentioned in the trade responses four times to the question “do we need more ranks in the district and where should these be?” These are copied below:

Kirk Gate needs returning to a rank now Covid restrictions have eased.

Think we need a bigger rank in the town centre somewhere as I feel Kirk Gate does not accommodate enough spaces

No need for ranks, but return Kirk Gate rank to a taxi rank and remove Joe Publics free parking for 30 mins +. Additionally, the continued misuse of Middlegate taxi rank by the private, delivery vehicles continues and occasionally will prevent taxis getting onto the rank. A cctv system taking number plate details floored by a fine may be a preventative measure. Additionally, set down/ pick up points around town rather than ranks would be a massive help such as the bus station and Castle Station.

Kirk Gate not been a rank for months, Castle station, bus station, London road car park

- 1.6 At the General Purposes meeting in June 2022, Members considered the report, noting that the rank provided a useful space for market shoppers, allowing them to park for 30 minutes. They added that its permanent removal as a taxi rank would allow this to continue and would assist with returning footfall to the town which was much needed following the drop in trade due to the pandemic.
- 1.7 It was agreed that a consultation exercise be undertake and the results be reported back to Committee prior to the final decision.
- 1.8 As part of the consultation period, all licensed drivers, local businesses and residents were contacted and asked if they would like to make any representations regarding the proposed removal of the taxi rank.
- 1.9 Eleven responses were received and these can be found at the table in **Appendix A**.

2.0 Proposal/Options Considered

- 2.1 If Members determine to remove the Kirk Gate Rank it is proposed that Nottinghamshire County Council are informed so that they can begin the statutory consultation/ advertising to make the current order permanent at their own cost.

3.0 Implications

- 3.1 In writing this report and in putting forward recommendations, officers have considered a range of potential implications. There are no implications arising from this report.

Background Papers and Published Documents

Local Government (Miscellaneous Provisions) Act 1976
Taxi Provision Consultation Survey 2022 NSDC

Comments Regarding Consultation for Removal of Taxi Rank on Kirk Gate, Newark

Name and Address	Comments
Alasdair Morrison 26 Kirk Gate Newark NG24 1AB	Further to your letter of 1 September I think it would be good for local businesses to keep this spot of short term parking on Kirk Gate.
Damian Carlin Castle Taxis	The removal of Kirk Gate Taxi rank would not affect us if it was removed, the only passenger carrier vehicles that use that rank are private hire vehicles so I'm all for it being removed as a taxi rank as we only use it to drop customers off when going to places such as Wetherspoons.
Dan Lazar North Gate Taxi	It is very convenient to change the design taxi rank on Kirk Gate into short term parking. In replaces It would be nice to reduce our taxi license fee according to reduce the amount of taxi rank space.
David Moore Newark Art Gallery Kirk Gate Newark NG24 1AB	Regarding the leaflet dropped off at my shop on Kirkgate. Being positioned next to the violin school, I do have to say that the 'open' 30 minute parking has been a real boom to businesses at this end of Kirk Gate. Keeping the spaces as usable public parking on a 30 minute basis would be an excellent idea.
David Payne Newark Premier Travel	I cannot see any reason to keep the taxi rank at Kirk Gate. I have personally never seen it used by any hackney vehicles around here. On another note. The rank at Castle Gate is becoming so bad it may as well not be in existence either. I cannot remember a time when it has not had private motor vehicles parked in it during operating hours. There have been several occasions when there is not a single space to use. Why is this not getting policed?
Gill Jennison	I think it would be good to turn the space into disabled parking or very short term parking for collection of goods from the market, plants, furniture from flea-market etc.
Jo Cooper	I don't think there are enough taxi ranks in Newark as it is, without removing one. There is no rank at Castle Station and passengers often need to travel to Northgate Station to meet their connecting trains in a time restricted manner. We often get moved on whilst waiting for customers to come out of Morrisons at their front entrance , we aren't allowed to drop off or pick up around the back of Wilkos or near Boyes any longer because of double yellow line restrictions. Town centre is becoming a no-go area to collect or drop off passengers. The rank on Castlegate is often filled with illegally parked cars and nothing gets done about it. Middlegate rank is often obstructed by delivery vehicles and has minimum space for taxis. 🚗 need I go on?

<p>Martin Henson</p>	<p>My question would be why should the taxi rank be removed.</p> <p>The last information I had known about was that the decision had already been made that the Kirk Gate rank was being removed to allow free parking to continue and increase the foot fall into the town (although no evidence was supplied to support such a ridiculous claim). It will continue to be what it is, free parking for the stipulated period and beyond.</p> <p>The Middlegate taxi rank is a source for public parking and this occurrence happens every day. At best, a parking ticket may be issued should a warden be in the local area but often this is not the case. I worked today and this morning I was unable to get on the rank due to pick-up truck occupying 2 taxi spaces; this everyday normal. Challenging drivers in the past I have been met with abuse and in the case of a beer delivery lorry I was threatened and the same vehicle a week later caused damage to my company taxi.</p> <p>The 2 taxi stands on The Wharf are used by me but more of town centre waiting area but as a taxi rank these are redundant waste of spaces.</p> <p>A number of years ago the taxi rank for 7 taxis was removed during the new build of the bus station. At the time the bus station taxi was the most popular rank in town and drivers could earn some reasonable work off it. Although, at the time it was made known to local taxi drivers that the taxi rank at the new bus station would only stand 3 taxis a surveyor advised me prior to the old bus station being demolished that there was no plans to put a taxi rank on the new bus station; so it proofed.</p> <p>The one taxi stand at Castle Station was removed during the building of Castle House.</p> <p>The permanent removal of Kirkgate Taxi Rank us just a nail in the coffin in an ability to earn a living for local drivers to earn a living and it was always a rank that was slowly but surely become more popular with local people and a reasonable alternative to sometimes busy Middlegate.</p>
<p>Neil Smith Fernwood Travel??</p>	<p>My personal view and for the General Public, is that the towns Taxi Rank's like other towns are key, should remain and be central to the public transport network and hospitality areas, also clearly marked and marshalled/ enforced by the council, unfortunately this seems not to be the case. They should all remain, be larger in certain positions, including at the Railway stations.</p>

	<p>As you will know, we currently only operate Private Hire Exc. Vehicles, but feedback from customers I have provided previously is that; there are not enough Taxi's available in Newark at the Ranks; Kirkgate, Castlegate and the two Rail Stations (also nothing at the Bus Station for transfer or signage), at key times during the day/week; with also issues of access and or illegal parking issues.</p> <p>In the absence of Zcars/DG or similar who operate mainly via their Private Hire App (another issue raised by recent customers), you will see at certain key times of the day, there are no Taxi's available but plenty of people looking to hire, unsure where the issue is ?</p> <p>I have stated previously, many customers and friends I have spoken to recently, apart from a certain client base, choose to go out of Newark or drive; as Newark's Hospitality industry is a shell of its former self and you can never get a taxi to get around/home ?</p> <p>Two recent examples;</p> <p>I dropped a Fernwood customer off at Northgate Station as they could not get a local Taxi. People were just leaving a train and queuing waiting for Taxi's, a passenger asked me if I was free but I declined obviously and others approached me had walked from Newark Castle Station to Northgate Station for a transfer, asking how do you get a Taxi here ?.</p> <p>Last Friday night after picking up a Bride & Groom form their wedding celebration at the Town Hall @ 11:30, Not underestimating 30+ couples were waiting for a Taxi on Castlegate, not one Taxi in sight and private cars parked on the Taxi Rank ?</p> <p>I am unsure what the issue is fully or how to solve it, but removing the Ranks removes the public the ability to call on a Taxi when needed. Whether available or not ?</p>
<p>Richard Watkinson 35 Kirk Gate Newark NG24 1AD</p>	<p>We support the request to remove the rank on a permanent basis. Short stay parking is important to businesses in the area. As a taxi rank the location would seem remote and obscure for users and the site more appropriate for short stay. We thank you for the opportunity to make representations. Your faithfully,</p>

Sarah Foss
Bird & Co
38 Kirk Gate
Newark NG24 1AB

Thank you for your letter of 1 September 2022. It is our view, as a business occupier located at 38 Kirk Gate, that the Taxi Rank on Kirk Gate be removed on a permanent basis.



Report to: General Purposes Committee Meeting – 1 December 2022
 Director Lead: Matthew Finch, Director – Communities & Environment
 Lead Officer: Alan Batty, Business Manager – Public Protection, Extn. 5467

Report Summary	
Report Title	Department of Transport Taxi and Private Hire Vehicle Statistics 2021-2022
Purpose of Report	To inform Members the latest vehicle figures relating taxi and private hire vehicles collected and collated by the Department for Transport and to highlight the national trends and changes in the taxi and private hire fleet.
Recommendations	That Members note the contents of the report.
Reason for Recommendations	To assure Members that the licensing authority is compliant with the requirements of the act.

1.0 Background

1.1 The DfT collect figures each year from the licensing authorities in England for the numbers of taxis and private hire vehicles that are licensed to operate. The figures represent information as of 31 March 2022.

1.2 Where possible the national data has been compared to local data.

1.3 Licensed Vehicles - National Picture

Between 2005 and 2020, the total number of licensed vehicles increased from 184,500 in 2005 to 298,600 in 2020. This figure then fell by 15.9% to 251,100 in 2021 before increasing slightly to 260,700 in 2022.

Local Picture

Our numbers have stayed stable in the last few years: we had 101 licensed vehicles in 2020, 102 in 2021, and 99 currently.

1.4 Drivers– National Picture

There were 330,300 driver licences in 2022, a decrease of 3.4% compared to the previous year. Between 2005 and 2020 the number of driver licences increased from 242,100 to 364,700. It then fell to 342,100 in 2021

Local Picture

At the beginning of 2020 we had 150 licensed drivers. This fell by 15% to 127 in 2021 but has now increased to 136 licenced drivers.

1.5 Wheelchair accessible Vehicles - National Picture

Nationally there are 33,000 wheelchair accessible vehicles. These are either purpose built or converted vehicles. This is slightly higher than last year but significantly lower than 2020.

Local Picture

We currently have 9 wheelchair accessible vehicles, representing 10% of all licenced vehicles. This has remained the same for the last 3 years.

1.6 Fit and Proper Policies – National Picture

Over 80% of authorities required taxi drivers and PHV drivers to complete child sexual abuse (CSA) or child sexual exploitation (CSE) training. These proportions have grown since the previous year.

All authorities required enhanced DBS (Disclosure and Barring Service) and barred list checks for taxi drivers

As of 31 March 2022, 67% of authorities submitted data to NR3, and 69% used NR3 when making licensing decisions. These both represented a large increase from 31 March 2021, when the equivalent figures were 48% and 50%.

Local Picture

The NSDC policy requires all drivers to undertake child sexual abuse (CSA) or child sexual exploitation (CSE) training within 1 year of being licensed. The Council agreed in 2019 to use the national register (NR3) of revocations, refusals and suspensions and has done so since this time.

1.7 Age and Fuel Type – National Picture

The vast majority of the taxi and private hire fleet is powered by diesel. 79% for taxis and 51% for Private Hire vehicles. There are 7% of taxis that are hybrid vehicles and 11% that are electric. The hybrid numbers are higher for PHVs with 38% being hybrid but a lower figure of 5% for electric PHVs.

Local Picture

Currently, 4 of our vehicles are hybrid (4%) and 1 is fully electric. In 2020 we had 3 hybrid vehicles and 1 fully electric.

2.0 Proposal/Options Considered and Reasons for Recommendation

2.1 The Council will continue to develop its policies and procedures to ensure compliance with national regulation and to meet the expectations of Members and the public. When looking at the national picture this authority compares well.

2.2 Over the next 12 months the use of incentives to encourage more rapid move towards electric vehicles will be explored.

3.0 Implications

- 3.1 In writing this report and in putting forward recommendations, officers have considered a range of potential implications. There are no implications arising from this report.

Background Papers and Published Documents

Taxi & Private Hire Vehicle Statistics, Quality Report: 2022 - Dept for Transport



Report to: General Purposes Committee Meeting – 1 December 2022
Director Lead: Matthew Finch, Director – Communities & Environment
Lead Officer: Alan Batty, Business Manager – Public Protection, Extn. 5467

Report Summary	
Report Title	Implications of the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022
Purpose of Report	To set out the contents of the Act and to highlight the implications for the local authority through its responsibility to licence Hackney Carriages and Private Hire Vehicles.
Recommendations	That Members note the contents of the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 and that suitable and sufficient process are in place to comply with the act.
Reason for Recommendations	To assure Members that the licensing authority is compliant with the requirements of the act.

1.0 Background

- 1.1 The Taxis & Private Hire Vehicles (Safeguarding & Road Safety) Act 2022 (the Act) received Royal Assent on 31 March 2022 and became operative on 31 May 2022.
- 1.2 There are two main aspects of the Act. Firstly, from 31 May 2022, if any licensing authority in England has information about a taxi or PHV driver licensed by another authority that is relevant to safeguarding or road safety concerns in its area, it must share that information with the authority that issued that driver's licence. Any licensing authority provided with such information by another authority must consider whether to suspend or revoke the driver's licence and inform the authority that shared the information of its decision.
- 1.3 Secondly, the Act will require licensing authorities in England to input, into a central database, instances where the authority has refused, suspended, chosen not to renew or revoked a taxi or PHV driver's licence based wholly or in part on information relating to the driver concerning safeguarding or road safety. If there is a relevant entry, the authority must contact the recording authority to request the relevant information. The decision-making licensing authority must then have regard to the information provided when making their decision

- 1.4 The Act requires licensing authorities in England to report safeguarding and road safety concerns about drivers licensed by other authorities to the licensing authority that issued the driver's licence. This is because only the authority that issued a driver's licence can suspend or revoke it
- 1.5 Once the licensing authority becomes aware of the safeguarding or road safety concerns, it has 10 working days to provide the relevant information and any other information to identify the driver to the licensing authority that issued the driver's licence. When sharing information, the relevant licensing authorities should cooperate as fully as possible, subject to their obligations under data protection legislation.
- 1.6 The Act defines the information that would constitute a safeguarding and road safety concern at section 1 and states that this would include information indicating that the person:
- committed a sexual offence (regardless of whether the person was charged with, prosecuted for or convicted of the offence)
 - harassed another person
 - caused physical or psychological harm to another person (regardless of whether the person was charged with, prosecuted for or convicted of the offence)
 - committed an offence that involves a risk of causing physical or psychological harm to another person
 - committed an offence under section 165, 168 or 170 of the Equality Act 2010 (regardless of whether the person was charged with, prosecuted for or convicted of the offence)
 - did anything that constitutes unlawful discrimination or victimisation against another person for the purposes of the Equality Act 2010
 - threatened, abused or insulted another person
 - poses a risk to road safety while driving
 - may be unsuitable to hold a taxi or PHV driver's licence for other reasons related to the safeguarding of passengers or road safety
- 1.7 The act requires licensing authorities in England that receive a report of safeguarding or road safety concerns about a driver it has licensed to consider whether to suspend or revoke the driver's licence. The decision must be based on the information provided about the safeguarding or road safety concerns and any other information available to the licensing authority.
- 1.8 Within 20 working days of receiving the concerns, the licensing authority must inform, in writing, the licensing authority that reported the concerns whether it has suspended or revoked the driver's licence (or intends to suspend or revoke the licence). The licensing authority must also provide its reasons for the action it has taken or intends to take. Where a licensing authority decides not to revoke or suspend a licence, the reasons for this might also include any actions short of suspension or revocation that it will take.

2.0 Proposal/Options Considered

- 2.1 Members may recall that as prior to this act coming into force there was a voluntary national database of revocations and refusals that this authority had agreed to sign up to. Policies and procedures were amended at the time to ensure that all applications were checked against this data base and that any suspensions or revocations made by Newark and Sherwood were added to it.

2.2 In light of the above, the implementation of the act has been fairly straightforward and there have been no major implications arising from or the application of the new requirements.

3.0 Implications

3.1 In writing this report and in putting forward recommendations, officers have considered a range of potential implications.

3.2 Data Protection – All drivers that have their licence revoked, suspended or refused are informed that their details will be added to the national register. These details do not include any data relating to the reasons for refusal.

Background Papers and Published Documents

Taxis & Private Hire Vehicles (Safeguarding & Road Safety) Act 2022



Report to: General Purposes Committee Meeting – 1 December 2022
 Director Lead: Matthew Finch, Director – Communities & Environment
 Lead Officer: Nicola Rowlands, Senior Licensing Officer – extn 5894

Report Summary	
Report Title	Update on Performance and Enforcement Matters
Purpose of Report	To provide Members of the Committee with details of the various activities undertaken by the Licensing Team in relation to Hackney Carriage/Private Hire Drivers, Private Ambulance Drivers together with House to House and Street Collections
Recommendation	That the report be noted.

1.0 Background

- 1.1 A new applicant for a Hackney Carriage/Private Hire Drivers or Private Ambulance Drivers Licence have to undergo various checks. These include a: Disclosure and Barring check; DVLA check; two references are required; Group II medical; and knowledge & ability tests.
- 1.2 This report covers the period from 1 July to 30 September 2022 inclusive and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

Application Type	New Applications Rec'd	Renewal of Applications Rec'd	Number Issued	Comments
Hackney Carriage/ Private Hire Driver	14	14	23	4 new applications pending. 1 refused at committee.
Ambulance Drivers	7	8	11	1 withdrawn
Hackney Carriage Vehicles	6	15	21	
Private Hire Vehicles	4	4	8	
Private Ambulance Vehicle Licence	4	12	16	

1.3 Street Collections

The table below sets out the numbers of collections undertaken within the reporting period of 1 July to 30 September 2022 and the charities supported. The organisations undertaking the collections are required to complete a return that sets out the 80% of the collection that is returned to the charity.

Charity	Location	Date	Total amount collected	% returned to charity
Young Lives v's Cancer	Southwell	9.7.2022	£135.36	100%
RNLI	Southwell	27.08.2022	£449.19	100%

1.4 House to House Collections

The table below sets out the numbers of collections undertaken within the reporting period of 1 July to 30 September 2022 and the charities supported. The organisations undertaking the collections are required to complete a return that sets out the 80 % of the collection that is returned to the charity.

Charity	Date	Total Amount Collected	% Returned to Charity
Leukaemia & Myeloma Research UK	26.7.22	£215.00	80%
World Cancer Care	July to September 2022	£272.55	100%
Children with Cancer UK	25.8.2022	£41.76	85%
Cancer Relief UK	15.11.21 to 14.09.22	£1200	86%
Leukaemia & Myeloma Research UK	26.9.22	£322	80%

1.5 Enforcement Issues

Hackney Carriage/Private Hire Ongoing Enforcement Activity between 1 July to 30 September 2022

Location	Activity	Date Case Opened	Action Taken So Far
Harvest Drive, Newark	Driver seen with more passengers than there should be in the (stationary) vehicle	06.07.22	LEO spoke to driver, who said there were 6 teenage passengers (the amount the vehicle is licensed for). He stated that he would not pick them up again as they were badly behaved and intimidating.
	Contact with driver to clarify statement about increasing fares	14.07.22	As part of the fare consultation, this driver had stated in an email that they had already

			increased their fares. LEO spoke to the driver to clarify that this was only when prebooked etc. Advice given RE not overcharging when working on the meter.
Gate to Southwell Festival	Report of driver operating shuttle bus to and from the festival for £5 per person	18.07.22	Charging this amount would take the fare over the metered price if 2 or more people were in the car. LEO spoke to the driver and advised not to operate shuttle bus service.
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine HC inspection	03.08.22	All in order
Castle House, Newark	Routine PH inspection	03.08.22	1x action (no smoking signs). LEO followed up, all in order.
Castle House, Newark	Routine PH inspection	03.08.22	1x action (no smoking signs). LEO followed up, all in order.
Castle House, Newark	Routine PH inspection	03.08.22	All in order
Castle House, Newark	Routine PH inspection	03.08.22	All in order
Castle House, Newark	Routine PH inspection	03.08.22	All in order
Castle House, Newark	Routine PH inspection	03.08.22	1x action (warning triangle). LEO followed up, all in order.

First4Care, Edwinstowe	Routine operator inspection	09.08.22	All in order
Brunel Drive, Newark	Vehicle driven away from test centre despite being told by an officer than the vehicle was unroadworthy.	31.08.22	Driver and owner/ operator of vehicle interviewed under PACE. Written warning delivered to operator's home address.
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine PH inspection	02.09.22	All in order
Castle House, Newark	Routine PH inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	All in order
Castle House, Newark	Routine HC inspection	02.09.22	1x action (no smoking signs). LEO followed up, all in order.
Castle House, Newark	Routine PH inspection	02.09.22	All in order
Castle Gate, Newark	NCC licenced vehicle photographed collecting passengers from Castle Gate rank	21.09.22	LEO to keep eye on out for vehicle
Castle House, Newark	Routine HC inspection	28.09.22	All in order

Castle House, Newark	Routine HC inspection	28.09.22	1x action (warning triangle). LEO followed up, all in order.
Castle House, Newark	Routine HC inspection	28.09.22	3x action (no smoking signage, rear windscreen washer not working, warning triangle). LEO followed up, all in order.
Castle House, Newark	Routine HC inspection	28.09.22	1x action (spare bulbs). LEO followed up, all in order.
Castle House, Newark	Routine HC inspection	28.09.22	All in order
Castle House, Newark	Routine PH inspection	28.09.22	1x action (warning triangle). LEO followed up, all in order.
Castle House, Newark	Routine HC inspection	28.09.22	All in order
Castle House, Newark	Routine HC inspection	28.09.22	All in order
Northgate Railway Station, Newark	Complaint of a taxi driver harassing another driver	29.09.22	LEO spoke to both drivers, whose accounts differ. Alleged perpetrator has promised to stay away from the other driver and complainant happy with action taken.

2.0 Proposal/Options Considered

This report is intended to provide Members with a summary of the various activities undertaken by the Licensing Team in relation to Hackney Carriage/Private Hire Drivers, Private Hire Ambulance Drivers together with House to House and Street Collections.

3.0 Implications

There are no implications arising from this report

Background Papers and Published Documents

None

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted