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# Sefton Council



MEETING: LICENSING AND REGULATORY COMMITTEE SPOKESPERSONS  
WITH REPRESENTATIVES OF THE HACKNEY CARRIAGE AND  
PRIVATE HIRE TRADE

DATE: Tuesday 25th January, 2022

TIME: 10.30 am

VENUE: **VIRTUAL MEETING VIA MICROSOFT TEAMS**

## **LICENSING AND REGULATORY COMMITTEE SPOKESPERSONS**

### **Member**

Councillor John Kelly (Chair)  
Councillor Mike Prendergast  
Councillor Carran Waterfield

### **Substitute**

Councillor Bradshaw  
Councillor Mike Morris  
Councillor Gordon Friel

## **HACKNEY CARRIAGE TRADE REPRESENTATIVES / SUBSTITUTES**

### **Representative**

### **Substitute**

- North Sefton Hackney Carriage Association  
Mr Tony Crabtree Vacant
- South Sefton Hackney Carriage Association  
Mr Scott Day Mr Steve Brown
- North West Taxi Association  
Mr Trevor Jones Vacant
- Unite the Union  
Mr Thomas McIntyre Vacant
- Southport Station Hackney Carriage Association  
Mr John Murrison Mr Frank McLachlan

## **PRIVATE HIRE TRADE REPRESENTATIVES / SUBSTITUTES**

### **Representative**

### **Substitute**

- Central Cabs, Southport  
Mr Alan Campbell Mr Paul Sinclair
- Aintree Garage Association  
Mr Michael Denning Vacant
- All Whites, Southport  
Mr Adrian Hughes Mr Peter Robertson
- Berry Street Garage Association  
Mr Joseph Johnson Ms Denise Bennett
- Uber  
Mr Matthew Freckleton Vacant
- Delta Merseyside  
Mr Paul McLaughlin Mr Gary Beesley
- Sefton Fleet Association  
Mr Thomas Robinson Vacant
- Sefton Private Hire Fleet Operators Association  
Mr Mark Sanders Vacant

## **DISABILITY ADVISORY MEMBER**

Ms Paula Hodson

## **TRAINING PROVIDER**

Mr Frank West – Antrec Limited



COMMITTEE OFFICER: Ruth Appleby  
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# A G E N D A

- | <u>Item No.</u> | <u>Subject/Author(s)</u>  |                   |
|-----------------|---|-------------------|
| 1.              | <b>Welcome and Introduction</b>   |                   |
| 2.              | <b>Richard Jarman</b><br>In remembrance of Richard Jarman, long time Trade Representative for the South Sefton Hackney Carriage Association.  |                   |
| 3.              | <b>Apologies for Absence</b>  |                   |
| 4.              | <b>Minutes</b><br><br>Minutes of the Meeting held on 26 January 2021.   | (Pages 9 -<br>16) |
| 5.              | <b>Declarations of Interest</b><br>Councillors and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct. |                   |
| 6.              | <b>Processing Licence Applications</b><br>To consider 2 items submitted.  |                   |

6(a) Licence Delays

**Item submitted by Scott Day - South Sefton Hackney Carriage Association**

“Whilst acknowledging the impact the recent process changes to the renewal of licences (badges) has made, we would like to understand the reasons behind the increasing delays in issuing vehicle licences (plates) and what the plan of action is to resolve this. Rather than highlight problems, we would be happy to work with the team on this and are happy to present some permanent or temporary solutions that may assist”.

6(b) Berry Street Garage Offer

**Item submitted by Joseph Johnson - Berry Street Garage Association**

Summary of item: Berry Street Garage (BSG) have made a formal offer of assistance to the Council and the trade to help deal with any current licensing issues. BSG can help the Council and will work in partnership to ensure legislation and conditions are followed. Delays to new licence applications and renewals have caused harm and impacted financially on businesses and individuals due to lost income. BSG are offering a ‘one stop’ for drivers and vehicles so that they may apply to have their vehicle tested, documents checked, pay a fee and issue a plate and licence on the vehicle. BSG can install a card machine with payments going direct to the Council. This would all be done free of charge.

7. **Liverpool City Region Grants**

**Item submitted by Trevor Jones – North West Taxi Association**

“Can you please supply the following information for the next meeting:

The amount of money that was given to the Hackney and private hire drivers in the form of a grant (as in payment one and payment two) and how much they received in total and how many drivers were not eligible because they did not live in the LCR region”

8. **HMRC Tax Checks**

(Pages 17 - 18)

**Item submitted by Mark Toohey, Principal Officer, Sefton Council**

HMRC tax conditionality checks. From 1 April, new rules come into force requiring a tax check in order to renew a taxi/private hire licence or to apply for the same type of licence with a different licensing authority.

Further information can be found at:  
<https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence>

Factsheet attached.

9. **Date of next meeting**

To note that the next meeting of the Licensing and Regulatory Committee Spokespersons with Representatives from the Hackney Carriage and Private Hire Trades will be held at **10.30 am on Tuesday 24 January 2023**.

Venue to be confirmed.

10. **Any Other Business**

In accordance with Minute No. 37(iii) of the meeting of the Licensing and Regulatory Committee of 24 February 2003, other business may only be considered if agreed by the Chair and a majority of both sections of the trade and it is of an urgent nature, i.e. it requires consideration prior to the next scheduled annual meeting of the Licensing and Regulatory Committee Spokespersons with Hackney Carriage and Private Hire Stakeholders.

THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

## LICENSING AND REGULATORY COMMITTEE SPOKESPERSONS WITH REPRESENTATIVES OF THE HACKNEY CARRIAGE AND PRIVATE HIRE TRADE

MEETING HELD AT THE REMOTE MEETING  
ON 26 JANUARY 2021

PRESENT: Councillor John Kelly (in the Chair)  
Councillors Pat Keith and Brenda O'Brien

Trade Representatives:

### **Representing Central Cabs Southport**

Mr Alan Campbell

### **Representing All Whites Southport**

Mr Adrian Hughes

### **Representing South Sefton Hackney Carriage Association**

Mr. Richard Jarman

### **Representing Berry Street Garage Association**

Mr Joseph Johnson

### **Representing North West Taxi Association**

Mr Trevor Jones

### **Representing Antrec Limited - Training Provider**

Mr Frank West

### **Officers:**

Mr Andy Cain – One Stop Shop Team Manager

Mr Mark Quillan - Head of Customer Service, Sefton Council One Stop Shop

Mr Mark Toohey – Principal Licensing Officer

Mr Terry Wood - Service Manager – Environmental Health and Licensing

## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Tony Crabtree (North Sefton Hackney Carriage Association); Ms Paula Hodson (Disability Advisor); Mr Neil McGonigle (Uber); Mr Paul McLaughlin (Delta Merseyside); Mr John Murrison (Southport Station Hackney Carriage Association); and Mr Mark Sanders (Delta Garages Association).

## **2. FORMER COUNCILLOR DOREEN KERRIGAN**

The Chair informed the Committee about the passing of former Councillor Doreen Kerrigan, on 26 December 2020.

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Doreen had served as a Councillor for Linacre Ward from 2 May 1996 to 5 May 2016 and had been Chair of the Licensing and Regulatory Committee and Chair of Licensing and Regulatory Spokespersons meeting with representatives of the Hackney Carriage and Private Hire Trade from 2012 to 2016.

The Committee observed a minute's silence in memory of Doreen Kerrigan.

### **3. MINUTES**

RESOLVED:

That the Minutes of the meeting held on 28 January 2020 be confirmed as a correct record.

### **4. DECLARATIONS OF INTEREST**

No declarations of any disclosable pecuniary interests or personal interests were received.

### **5. CURRENT LICENSING PROCEDURES UNDER LOCKDOWN**

The Committee considered an item submitted by Mr Richard Jarman (South Sefton Hackney Carriage Association) on general procedures relating to taxi and private hire licensing in the One Stop Shop during lockdown.

Mr Andy Cain, One-Stop Shop Team Manager, explained the current procedure for processing licence applications, indicating that currently vehicle licensing was administered through the One Stop Shop (on-line) mailbox, which involved applicants completing a licence application form, and submitting it for processing by the One-Stop Shop via email. The One-Stop Shop contacted the customer for payment; and plates and licences were posted out to drivers via Royal Mail. Mr Cain indicated that consideration was currently being considered for the auto renewal of drivers with licences that were due to expire.

Arising from discussion trade representatives raised the following issues:

- Difficulties emailing completed documentation via email without access to a scanner.
- Communication of procedural changes  
Mark Toohey, Principal Licensing Officer, indicated that changes were implemented following consultation / conversations with the trade representatives and were put on the website immediately. Trade representatives were also notified of updates and requested



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to share with drivers. Mr Toohey stated that steps were being taken to utilise social media to notify of updates, etc.

- Time taken to renew licences  
Concern was expressed that **drivers'** licences were expiring but the renewal plates weren't administered in time, whereas **vehicle** licences seemed to be turned around more quickly. Mr Cain indicated that no preferential treatment was given to vehicle licences, it was just that vehicle licences were easier to administer as only three documents were involved, whereas driver licensing entailed a visit to the One-Stop Shop for DBS checking purposes. Mr Cain indicated that One-Stop-Shop staff responded to emails in the order received and currently the oldest one being dealt with had been submitted on 15 January 2021. Delays occurred when the application was incomplete and the customer was required to provide additional information
- Confusion about applying for licences  
Some drivers believed they could work without having to apply through the driver's licence procedure. Lack of communication had led to various people getting licences through the post on the day it expired, others felt they couldn't work as they hadn't received the licenses. Some drivers were telling others that they didn't have to apply and their licence would be sent automatically through the post. Mr Toohey indicated that he would send an email clarifying all of the procedures as detailed on the website.
- Taxi Companies couldn't accept drivers who hadn't got a licence  
Pre-Covid it was possible for licence applicants to have their vehicle tested, obtain their licence, receive a radio, and be on the road. Mr Cain reiterated that copies of licences were emailed to applicants and posted out with the licence plates via Royal Mail. Mr Toohey indicated that it was sufficient for drivers to have a copy of the licence emailed by the One-Stop Shop to be able to work, pending receipt in the post of the licence and plates.
- There had been incidents where Sefton Council enforcement officers required drivers to have a physical plate on their vehicle to work and production of an emailed copy of the licence was not accepted. Mr Toohey indicated that drivers should keep the old plate on their vehicle and carry the (emailed) license with them to confirm they were licensed pending the arrival of the new licence plate.

However, newly licensed vehicles would have to wait until their licence plate arrived before being allowed to work.

- Was there any way to confirm that a vehicle was tested?  
Mr Toohey indicated that the vehicle owner was sent an email confirming that their vehicle had been tested /licensed.

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RESOLVED: That

- (1) the issues raised above and responses thereon, be noted;
- (2) Mr Toohey, be requested to provide clarification on procedures for applying for and obtaining licences during the Covid pandemic; and
- (3) the proposed use of social media for the promotion and communication of application procedure updates be welcomed.

## **6. ONE STOP REPRESENTATION AT FUTURE TRADE MEETINGS**

The Committee considered an item submitted by Mr Richard Jarman, requesting that the One Stop Shop was represented at all future meetings of the Hackney Carriage and Private Hire Trade.

Mr Mark Quillan, Head of Customer Service, Sefton Council One Stop Shops, indicated that regular meetings of the Trade Representatives with One-Stop-Shop and Licensing Officers were welcomed and that monthly meetings might be helpful, dependent on demand from Trade Representatives.

Mr Mark Toohey stated that pre-Covid meetings of the Hackney Carriage and Private Hire Trade Working Group had been held quarterly. He indicated that he would reinstate the quarterly meetings (with additional meetings slotted in if required) to be held remotely and involving One-Stop-Shop representation.

Arising from discussion, Trade Representatives welcomed the reinstatement of regular meetings incorporating One-Stop Shop representation but expressed concern at difficulties they had experienced contacting the One-Stop-Shop about urgent matters over the past year and suggested that a direct telephone line be provided. Mr Quillan indicated that consideration would be given to this suggestion and he would approach the Trade Representatives with options in due course.

RESOLVED: That

- (1) Mr Mark Toohey be requested to schedule regular meetings of the Hackney Carriage and Private Hire and Private Hire Trade with Licensing and One-Stop-Shop officers; and
- (2) Mr Mark Quillan be requested to suggest workable options for the Trade being able to contact the One-Stop Shop in respect of urgent matters.

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## 7. LIVERPOOL CITY REGION (LCR) DRIVER GRANT

The Committee considered an item submitted by Mr Mark Toohey, Principal Licensing Officer, that provided an update on the distribution of driver grants on behalf of the Liverpool City Region (LCR).

Mr Mark Quillan indicated that funding had been made available to the LCR for a taxi grant at the end of October 2020 and Sefton had introduced its own local scheme. He indicated that eligibility criteria for a taxi grant, was as follows:

- drivers had to have been Sefton licence holders on the 23<sup>rd</sup> of March 2020 (lockdown date); and
- had to live in the LCR.

4402 eligible drivers had been identified as being eligible and had been invited to apply for the grant. £269,100 had been paid out in grants with 2691 applicants having each received a grant of £100. The scheme was now effectively closed, but the Council was still dealing with late applications and last week 43 late applications, had been submitted with applicants indicating that their applications were late because they had not received the notification letter in time, or they had had problems completing the e-form. These 43 drivers had been paid their grant, but the scheme would be closed at the end of this week.

Concern was expressed by trade representatives at the meagre grants paid by Merseyside, which equated to a mere 27 pence a day. In comparison, the grants paid by other areas were far more generous. For example, Bury Council provided a roll-on scheme paying drivers £677 per month; Sheffield and Birmingham had paid drivers £500 each last year; Scotland had given each driver £1,500; Ireland £1,500 and Wales £4,000.

Mark Toohey indicated that the Government had made the money available to regional authorities to help local businesses and of the money allocated, the LCR had set aside £1.5 million specifically for private hire and taxi drivers and had decided that each driver should receive £100. Sefton Council's role had been to facilitate the grant.

The total grant allocation to Sefton had been £440,000 and trade representatives queried what had happened to the unclaimed balance of £170,900 and suggested that the remaining monies should be split and shared with Sefton licensed drivers.

Mr Toohey stated that remaining monies had to be returned to the LCR; that Sefton had no discretion over how unclaimed grant funding could be spent and that issues with the grants would have to be taken up with the LCR.

RESOLVED:

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That Officers be requested to continue to investigate avenues of support funding for the Trade and promote any opportunities if grants became available.

## 8. CORONAVIRUS ADVICE FOR LICENCE HOLDERS

The Committee considered an item submitted by Mr Richard Jarman, seeking clarification of current advice for licence holders working during the Covid pandemic.

Mr Terry Wood, Service Manager – Environmental Health and Licensing, indicated that national guidance (<https://www.gov.uk/guidance/coronavirus-covid-19-taxis-and-phvs>) was specifically aimed at taxi drivers, private hire drivers and operators and this guidance had been distributed to all of the trade representatives.

Mr Jarman indicated that he was seeking clarification on guidance issued, for example advice about people not wearing masks in taxis and drivers handling shopping and luggage items.

Mr Wood stated that drivers did not have to take a customer who was not wearing a mask (unless medically exempt) and that he appreciated the difficult balance faced by drivers trying to earn living whilst working safely during the pandemic.

RESOLVED:

That it be noted that national guidance to the PHV and taxi trade working during the Covid pandemic can be found at <https://www.gov.uk/guidance/coronavirus-covid-19-taxis-and-phvs>.

## 9. REGIONAL HARMONISATION

The Committee considered an item submitted by Mr Richard Jarman (South Sefton Hackney Carriage Association) on the progress on regional harmonisation.

Mr Mark Toohey indicated that due to the Covid pandemic, regional meetings with LCR licensing officers had not taken place. However, the LCR meetings had now been reinstated and were due to consider the introduction of Department for Transport Statutory Standard Conditions with a view to their being introduced in part during the next 12 months. He indicated that consultations with the trade representatives would be held for consideration of the Statutory Standings, with sub-groups being formed if necessary.

Mr Ricard Jarman requested that information arising from the LCR meetings be fed back to the trade as the Trade had no contact with the LCR and it 'is important that we all have a chance to get involved'. Mr Toohey indicated that the meetings were discussions between Licensing

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officers about issues affecting everyone, but they were not formal meetings with minutes.

However, any issues that would affect Sefton licence holders, e.g. Department for Transport Statutory Standards and changes to conditions, would involve full consultation with trade representatives.

RESOLVED:

That it be noted that the Hackney Carriage and Private Hire Working Groups will be fully consulted on regional matters having implications for Sefton Licence holders; for example, the introduction of Department for Transport Statutory Standards.

### **10. CONSULTATION AND REGULATORY PROGRESS**

The Committee considered an item submitted by Mr Richard Jarman (South Sefton Hackney Carriage Association) requesting clarification on arrangements for future consultation arrangements on matters relating to the taxi and private hire trades.

Mr Mark Toohey indicated that this issue had already been touched on (Minute No. 9 above) and reiterated that the trade representatives would be fully consulted when amending standards and proposing changes to current handbook conditions, etc., and that this would be done via email and remote Microsoft Teams' meetings.

Trade representatives queried whether there were service level agreements in place between the Licensing Department and the One-Stop Shop requiring the latter to observe service level agreements in the discharge of taxi licensing functions.

RESOLVED:

That service level provision for the One-Stop Shop for the operation of licensing functions be considered at the next meeting of the Hackney Carriage and Private Hire Working Group which would be held remotely via Microsoft Teams and would include representation from the One-Stop Shop.

### **11. DATE OF NEXT MEETING**

RESOLVED:

That it be noted that the next meeting of the Licensing and Regulatory Committee Spokespersons with Representatives from the Hackney Carriage and Private Hire Trades would be held at 10.00 am on **Tuesday 25 January 2022.**

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HM Revenue  
& Customs

## Tax Check Factsheet

### What's changing

From 4 April 2022, there will be a small addition to the checks licensing bodies already have in place. You'll need to complete a tax check with HM Revenue and Customs (HMRC) when you renew your licence to:

- drive taxis or private hire vehicles
- operate private hire vehicle businesses
- deal in scrap metal.

The changes will only apply in England and Wales.

### How changes may affect you

What you need to do will depend on whether you're applying for a licence for the first time or whether you're making a subsequent application, such as renewing a licence.

**Getting a new licence:** If you are applying for a licence for the first time, you will not need to complete the tax check. However, licensing bodies will ask you to read HMRC guidance on what you need to do to be properly registered for tax in the future and you'll need to confirm you have done this.

**Renewing a licence:** From 4 April 2022, if you renew or apply for a subsequent licence under a different licensing body, you'll have to do a tax check. You'll be able to do this online through a digital service.

### About the tax check

You will be able to complete this tax check on GOV.UK, through your Government Gateway account. You will only need to answer a few questions to tell HMRC how you pay any tax that may be due on income you earn from your licensed trade. If you do not already have a Government Gateway account, you can sign up on GOV.UK.

The tax check should only take a few minutes. There'll be guidance on GOV.UK and anyone who needs extra support will be able to complete the tax check by phone through HMRC's customer helpline.

When you've completed the tax check, you'll get a code. You must give this code to your licensing body. The licensing body cannot proceed with your licence application or renewal until the tax check is completed and they've received the code.

Your licensing body will only receive confirmation from HMRC that you've completed the tax check, they will not have access to information about your tax affairs.

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## What you need to do

If you've not registered to pay tax on earnings from your licensed trade, please go to GOV.UK to check if you need to register as soon as possible.

- If you're an employee, find information on PAYE at:  
[www.gov.uk/income-tax/how-you-pay-income-tax](https://www.gov.uk/income-tax/how-you-pay-income-tax)
- If you're self-employed, find information on registering for Self Assessment at:  
[www.gov.uk/register-for-self-assessment](https://www.gov.uk/register-for-self-assessment)
- If you operate through a company, find information on Corporation Tax at:  
[www.gov.uk/corporation-tax](https://www.gov.uk/corporation-tax)

If you should have been registered to pay tax and have not been, HMRC will work with you promptly and professionally to get you back on the right track. It's your responsibility to get your tax right, but HMRC are here to help.

You can get help from HMRC if you need extra support, for example if you need information in a different format or need help filling in forms. Visit GOV.UK and search 'Get help from HMRC if you need extra support'.

For further guidance on the tax check, please visit:

[www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022](https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022)