

REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE

(Meeting held on 15 January 2010)

The meeting was inquorate for consideration of the following items. The Committee therefore submits informal recommendations in respect of each item to the Council for decision.

1. PAY AND REWARD REVIEW – PROPOSED CHANGES TO TERMS AND CONDITIONS (REPORT B) (MINUTE NO. 26)

The Committee considered the proposals to change the terms and conditions for employees.

In June 2006, the Council agreed to undertake an Equal Pay Audit. To support this a Pay and Reward project team was set up to explore various pay and reward issues. The pay and reward project team findings were considered by the Pay Panel during 2007/08 and an offer was put to employee side on the 7 November 2008. The Employee Side responded to the offer on 18 December 2008. On the 23 April 2009, it was acknowledged that the Council and Employee Side were unlikely to come to an agreement and subsequently the Council determined that during 2009/10 it would commence formal consultation on the Pay and Reward proposals with all employees.

Comprehensive Pay and Reward proposals have been made, the most significant of which include the following: -

- all employees on fixed points to move incrementally through their current pay bands
- the width of some bands to be reduced
- restructuring of bands, where considered appropriate
- moving all weekly-paid employees to monthly pay in June 2010
- the reduction of sickness absence entitlements during the first year of employment
- fixing the probationary period for all new employees at 6 months (including employees recruited from other local authorities)
- requiring employees, where necessary and to facilitate flexible approaches, to work any 5 days out of 7.

The Committee considered the concerns of employees' side regarding some of the proposals, specifically those requiring employees to work any 5 days from 7. However it considered that adopting flexible approaches and working flexibly would be advantageous to the Council and its employees.

The Committee whilst mindful of the employees' side's arguments, supported the employer's side's proposals.

RECOMMENDED (INFORMALLY):

That the proposed changes to Pay Structures and Terms and Conditions detailed in section 4 of Report B to the Committee be agreed and implemented from 1 April 2010.

**2. SPARE TYRE AND WHEEL CONDITION FOR TAXI VEHICLES (REPORT D)
(MINUTE NO. 27)**

The Committee considered a request by the Hackney Carriage and Private Hire Owners' Association for the Council to amend its statement of licensing principles regarding the spare wheel and tyre that must be carried by both hackney carriage and private hire vehicles.

The Committee considered the view of the Hackney Carriage and Private Hire Owners' Association that it was increasingly difficult to purchase vehicles that complied with the Council's current policy regarding the spare wheel and tyre. Many new vehicles were now manufactured with space saver wheels, "run flat" tyres or inflation kits, instead of the conventional full size spare wheel.

The Council's current policy in regard to the spare wheel was severely restricting the choice of licensees when purchasing new vehicles, and in some cases environmentally "cleaner" and more fuel efficient vehicles were excluded. It was not an option for licensees to carry a full size spare in vehicles where an alternative was provided by the manufacturer as the void for the spare was too small to accommodate a full size wheel.

In light of the above, the Committee was of the view that the Council's requirements for spare wheels in licensed vehicles should be amended as set out below. They considered, however, that there should be a requirement for a driver/operator/Hackney Carriage proprietor to replace any undersized, 'run flat' or inflated tyre at the conclusion of the journey during which the problem had occurred.

RECOMMENDED (INFORMALLY):

- (a) That the "Examination and Assessment of Hackney Carriage and Private Hire Vehicles" (paragraph 3.12.5, Part 3 of the Council's 'Statement of Licensing Principles') be amended to provide that the "spare wheel/tyre condition" be replaced by a requirement for the "original" option as designed and delivered by the vehicle manufacturer;**
- (b) That, in the event of the need arising for the fitting of a "space saver" tyre or the use of a run flat tyre or an inflation kit, a full size tyre in an acceptable condition, namely, the tyre must be "first life", not re-treaded or remoulded, the correct size, in good condition with no bulges, cracks or cuts and not have any steel showing, with a tread depth of a minimum of 2mm over the whole of the tread area, be fitted on completion of the journey.**

**3. CRIMINAL RECORDS BUREAU CHECK FOR BOATMAN LICENCES (REPORT E)
(MINUTE NO. 28)**

The Committee considered the possibility of undertaking Criminal Records checks on applicants for boatman licences.

Some members were concerned that there was no requirement for these and felt that in some circumstances boat passengers could be as vulnerable as those in taxis and private hire vehicles.

The Committee received legal advice that any attempted requirement by the Council for a CRB check of applicants was liable to challenge, in particular in the light of the provisions of the Rehabilitation of Offenders Act 1974.

The Committee discussed whether representations should be made to the Local Government Association (LGA) to press for a change in legislation in this regard, but before taking a decision on this matter, wished to assess whether nearby coastal authorities would support an approach being made to the LGA.

RECOMMENDED (INFORMALLY):

That the officers establish from other nearby coastal authorities whether they would support this Council in an approach the Local Government Association to include boatmen in the list of posts in respect of which registered organisations may apply for a Criminal Records Bureau check.

**Cllr A W Rice
VICE-CHAIRMAN**