

Item 8 Hackney Carriage and Private Hire Vehicle Licensing Guidelines (Policy)

Report of the Head of Administration (Portfolio: Corporate)

Recommended:

That the revision to the Hackney Carriage and Private Hire Vehicle Licensing Guidelines as set out in paragraph 2.2 of this report be adopted.

SUMMARY:

- The Hackney Carriage and Private Hire Vehicle Licensing Guidelines setting out the Council's policy in these areas of licensing has been reviewed.
- A minor change to the Guidelines is recommended in respect of the policy regarding motoring convictions and the undertaking of the Driving Standards Agency (DSA) Taxi Drivers Test.

1 Introduction

- 1.1 Legislation enables local authorities to administer licences for hackney carriages and their drivers and private hire drivers and operators and their vehicles. In 2007 this Committee adopted a Hackney Carriage and Private Hire Vehicle Licensing Guidelines document that sets out the Council's approach to these areas of licensing. The document is in essence the Council's policy on taxi and private hire licensing. Members will be aware that there is a statutory requirement to produce licensing policies in respect of the Licensing Act 2003 and the Gambling Act 2005. No such statutory requirement exists for taxi and private hire licensing but it is considered good practice to have such a policy.

2 Background

- 2.1 Hackney Carriages and Private Hire Vehicles form a vital part of the public transport network within the Borough. The Hackney Carriage and Private Hire Vehicle Licensing Guidelines document attached as Annex 1 to this report has been reviewed and one revision is recommended in respect of the current policy regarding accumulation of driving licence penalty points. At present the Guidelines state that "Any driver who accumulates more than 9 points on his licence will have his driver's licence suspended pending the completion of the DSA Taxi Drivers Test". Whilst the very nature of their occupation potentially

places taxi drivers more at risk of attracting motoring convictions, there comes a point at which a driver will have accumulated sufficient number of penalty points such that their continued position as a licensed driver may be called into doubt.

- 2.2 Officers are of the view that suspending the driver's licence pending their satisfactorily undertaking the DSA test is an appropriate means of determining their suitability to remain licensed. However, the current policy means that only drivers accumulating 10 or more points are required to take the test and as penalty points are often issued in batches of three, it is more likely for drivers to acquire 9 points rather than ten or more. Since introduction of this policy there has been only one occasion when a driver has been required to take the test. Thus amending the current policy to say that "Any driver who accumulates 9 points on his licence will have his driver's licence suspended pending the completion of the DSA Taxi Drivers Test" will lower the threshold and thus potentially mean more drivers may be required to take the test if they wish to remain licensed.

3 Corporate Objectives and Priorities

- 3.1 Hackney Carriage and Private Hire licensing falls within the broader remit of community safety. In deciding whether a licensed driver should retain their licence, the overriding consideration will be the protection of the public. As drivers are employed in a position of trust where safety is of the utmost importance, the Council's policy is that once drivers accumulate a certain number of penalty points, the licence will be suspended pending the driver satisfactorily undertaking the DSA Taxi Driver Test.

4 Consultations/Communications

- 4.1 Test Valley Taxi Association have been consulted upon the proposed revision to the policy. Their comments will be report verbally at the meeting.

5 Options

- 5.1 The only other option available to the Committee would be to continue with the current policy. However, as detailed in paragraph 2.2 above it is the view of officers that the proposed revision is appropriate and necessary.

6 Resource Implications

- 6.1 There are no direct resource implications as a result of this report. The cost of undertaking the DSA Taxi Driver Test is met by the driver and is currently £79.66 if taken during a weekday or £96.00 if taken during the evening or at weekends. The test can be taken at Basingstoke, Newbury, Southampton or Winchester.

7 Legal Implications

7.1 There are no specific implications as a result of adopting the revised policy.

8 Equality Issues

8.1 The Committee may wish to know that the Department for Transport National Travel Survey shows that taxis and private hire vehicles are commonly used by younger people and those on low incomes who do not have access to a household car and for whom such vehicles provide an essential safe form of transport. Women aged 16 to 20 years make the greatest number of trips in taxis and private hire vehicles.

9 Other Issues

- 9.1 Community Safety – see paragraph 3.1 above.
- 9.2 Environmental Health/Sustainability Issues – none.
- 9.3 Property Issues – none.
- 9.4 Wards/Communities Affected – the whole Borough.

10 Conclusion

10.1 Whilst not a statutory requirement it is considered good practice to adopt a document setting out the Council’s policy as regards taxi and private hire licensing. The current Guidelines document has been reviewed and a revision to the current policy regarding motoring convictions is recommended.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Department for Transport National Travel Survey 2005			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	One		
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