

# Public Document Pack



## TRAFFORD COUNCIL

### AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE MEETING

Date: Thursday, 24 September 2015

Time: 6.30 pm

Place: Council Chamber Trafford Town Hall, Talbot Road, Stretford, Manchester,  
M32 0TH

<b>A G E N D A</b>	<b>PART I</b>	<b>Pages</b>
1.	<b>ATTENDANCES</b>	
	To note attendances, including Officers and any apologies for absence.	
2.	<b>MINUTES</b>	
	To receive and if so determined, to approve as a correct record the Minutes of the meetings held on 20 <sup>th</sup> August and 27 <sup>th</sup> August 2015.	1 - 6
3.	<b>HACKNEY CARRIAGE UNMET DEMAND SURVEY 2015</b>	
	To consider a report of the Head of Regulatory Services.	7 - 16
4.	<b>PROPOSED CHANGES TO THE HACKNEY CARRIAGE/PRIVATE HIRE DRIVER APPLICATION REQUIREMENTS</b>	
	To consider a report of the Head of Regulatory Services.	17 - 32
5.	<b>AMENDMENTS TO HACKNEY CARRIAGE AND PRIVATE HIRE POLICY AND FEES FOLLOWING THE DEREGULATION ACT 2015</b>	
	To consider a report of the Head of Regulatory Services.	33 - 38
6.	<b>URGENT BUSINESS (IF ANY)</b>	
	Any other item or items (not likely to disclose "exempt information") which, by reason of special circumstances (to be specified), the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of	

## Public Protection Sub-Committee - Thursday, 24 September 2015

urgency.

### 7. **EXCLUSION RESOLUTION (REMAINING ITEMS)**

Motion (Which may be amended as Members think fit):

That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

### 8. **PRIVATE HIRE DRIVER - ALLEGATION OF SERIOUS MISCONDUCT PART II**

To consider a report of the Head of Regulatory Services. Para. 1 39 - 46

### 9. **URGENT BUSINESS (IF ANY)**

**THERESA GRANT**  
Chief Executive

#### Membership of the Committee

Councillors M. Whetton (Chairman), B. Sharp (Vice-Chairman), S.K. Anstee, J. Coupe, A. Duffield, M. Freeman, D. Jarman, M. Sephton and J. Smith

#### Further Information

For help, advice and information about this meeting please contact:

Natalie Owen, Democratic & Scrutiny Officer  
Tel: 0161 912 4221  
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This agenda was issued on **Tuesday, 15 September 2015** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

## **PUBLIC PROTECTION SUB-COMMITTEE**

**20 AUGUST 2015**

### **PRESENT**

Councillor M. Whetton (in the Chair).

Councillors B. Sharp (Vice-Chairman), S.K. Anstee, A. Duffield, M. Freeman, D. Jarman, M. Sephton and J. Smith

#### In attendance

D. Goldstein	- Solicitor
J. Marriott	- Public Protection Manager
S. Bate	- Senior Licensing Officer
N. Owen	- Democratic and Scrutiny Officer

### **12. MINUTES**

RESOLVED: That the minutes of the Public Protection Sub-Committee meetings held on 30<sup>th</sup> April, 18<sup>th</sup> June, 25<sup>th</sup> June and 23<sup>rd</sup> July 2015 be agreed as a correct record and signed by the Chairman.

### **13. REVIEW OF PRIVATE HIRE OPERATOR CONDITIONS**

The Head of Regulatory Services submitted a report requesting Members to consider additional conditions to the private hire operator conditions and a revised list of penalty points be introduced for non-compliance to address a number of issues, including new requirements for the operator to keep more detailed records of vehicles and drivers licensed by other authorities.

All Trafford Private Hire operators were invited to comment on the proposed new conditions between 24<sup>th</sup> April 2015 and 30<sup>th</sup> June 2015. Three responses were received which were detailed in the report.

Representations were received at the meeting from several members of the taxi trade.

RESOLVED: That the proposed new operator conditions with the amendments in Appendix C of the report be adopted after consideration of the consultation responses.

### **14. PROPOSED CHANGES TO THE HACKNEY CARRIAGE/PRIVATE HIRE DRIVER APPLICATION REQUIREMENTS**

The Head of Regulatory Services submitted a report requesting Members to consider proposed changes to the Hackney Carriage/Private Hire driver application requirements in order to reduce delays in the application process whilst maintaining driver standards.

A member of the Sub-Committee raised a concern regarding removing the knowledge test and preferred to keep some form of testing and commented that

**Public Protection Sub-Committee**  
**20 August 2015**

applicants could be granted a licence for a set period of time and be required to pass a test within a year for new applicants. He also commented that he would like to know the content of proposed induction course in particular, the child sexual exploitation awareness section and the cost of the course.

Representations were made by several members of the taxi trade. The Chairman requested that all comments be submitted to the Licensing Department during the consultation period.

RESOLVED –

- (1) That the Sub-Committee agreed, in principle, to:
  - Extend the range of acceptable qualifications to prove English language skills;
  - Remove the requirement to pass a local area knowledge test but introduce a condition that all drivers must carry a working satellite navigation system; and
  - Extend the length and scope of the driver induction course.
- (2) That the Sub-Committee agreed to a four week consultation exercise with the hackney carriage and private hire trades and the public.
- (3) That the Sub-Committee agreed to receive a further final report at its next available meeting after the consultation.

**15. AMENDMENTS TO HACKNEY CARRIAGE AND PRIVATE HIRE POLICY AND FEES FOLLOWING THE DEREGULATION ACT 2015**

The Head of Regulatory Services submitted a report informing Members of changes to the legislation affecting hackney carriage and private hire licences; and proposing amendments to the fees for driver and operator licences to reflect the changes in national legislation.

Questions were raised by several members of the Sub-Committee.

RESOLVED –

- (1) That the Sub-Committee agree that from 1<sup>st</sup> October 2015 all private hire operator licences are issued for five years except applicants for a new licence can apply for a one year licence.
- (2) That the Sub-Committee agree that from 1<sup>st</sup> October 2015 all new and renewed hackney carriage and private hire driver's licences are issued for three years; except in certain circumstances, namely;
  - Where an applicant wishes to have a one year licence;
  - Where the applicant is due to retire or cease being a licensed driver;
  - Where an applicant's right to work visa is due to expire;

**Public Protection Sub-Committee**  
**20 August 2015**

- Where matters arise that the Sub-Committee or Licensing Manager believe make it appropriate, in the circumstances, to issue a licence for less than three years.
- (3) That the proposed fess for a five year private hire operator's licence and a three year hackney carriage and private hire driver's licence be advertised in a local newspaper and be introduced from 1<sup>st</sup> October 2015, subject to no objections being received.

The meeting commenced at 6.30 pm and finished at 7.40 pm

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## **PUBLIC PROTECTION SUB-COMMITTEE**

**27 AUGUST 2015**

### **PRESENT**

Councillor M. Whetton (in the Chair).

Councillors B. Sharp (Vice-Chairman), S.K. Anstee, J. Coupe, A. Duffield, M. Freeman, M. Sephton and J. Smith

#### In attendance

J. Boyle - Licensing Team Leader  
N. Owen - Democratic and Scrutiny Officer

#### Also in attendance

G. Levy - Public Protection Manager (Trading Standards)  
D. Grey - Enforcement Support Officer

### **APOLOGIES**

An apology for absence was received from Councillor D. Jarman

#### **16. EXCLUSION RESOLUTION (REMAINING ITEMS)**

RESOLVED: That the public be excluded from this meeting during consideration of the following items on the agenda because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as specified.

#### **17. PRIVATE HIRE DRIVER - ALLEGATION OF SERIOUS MISCONDUCT**

RESOLVED: That this item be deferred to the next meeting of the Public Protection Sub-Committee.

#### **18. PRIVATE HIRE DRIVER - USING A VEHICLE WHILST SUSPENDED - (UNLICENSED)**

The Head of Regulatory Services submitted a report requesting Members to consider the alleged use of a vehicle whilst suspended and use of a vehicle whilst uninsured.

The driver provided the Sub-Committee with a brief outline of what he said were the circumstances of the incident.

The Sub-Committee considered the time period in which the vehicle had been used whilst suspended and how many jobs had been completed during that time.

**Public Protection Sub-Committee**  
**27 August 2015**

The Sub-Committee acknowledged that he had admitted using the vehicle when interviewed by Enforcement Officers from the Council.

RESOLVED: That Mr T. Z's Private Hire driver's licence be suspended for three months.

**19. PRIVATE HIRE DRIVER - USING A VEHICLE WHILST SUSPENDED - (UNLICENSED)**

The Head of Regulatory Services submitted a report requesting Members to consider the alleged use of a vehicle whilst suspended and use of a vehicle whilst uninsured.

The driver provided the Sub-Committee with a brief outline of what he said were the circumstances of the incident.

The Sub-Committee considered the time period in which the vehicle had been used whilst suspended and how many jobs had been completed during that time. The Sub-Committee acknowledged that he had admitted using the vehicle when interviewed by Enforcement Officers from the Council.

RESOLVED: That Mr S's Private Hire driver's licence be suspended for three months.

**20. APPLICATION FOR GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - PERIOD OF DISQUALIFICATION FROM DRIVING**

The Head of Regulatory Services submitted a report requesting Members to consider an application for the grant of a Private Hire driver's licence.

The applicant attended the meeting to enable Members to give the matter their full consideration.

The applicant provided the Sub-Committee with a brief outline of what he said were the circumstances of the offences.

The applicant also answered questions directed to him from Sub-Committee Members.

RESOLVED: That Mr. M. A's application for a Private Hire driver's licence be granted.



## TRAFFORD COUNCIL

**Report to:** The Public Protection Sub- Committee  
**Date:** 24<sup>th</sup> September 2015  
**Report for:** Decision  
**Report of:** The Head of Regulatory Services

### Report Title

**HACKNEY CARRIAGE UNMET DEMAND STUDY 2015**

### Purpose

To invite the Sub-Committee to consider the findings of a study conducted on behalf of the Council in to the demand for hackney carriage services in Trafford.

### Option(s)

The Sub-committee is invited to consider the presentation by Vector Transport Consultancy, the findings of the survey and the comments of the trade, and resolve either:

- to accept the recommendation of the survey and maintain the current limit of 143 vehicle licences;
- to remove the limit on the number of vehicle licences and allow a free entry policy; or
- to issue any number of additional vehicle licences as it sees fit, either in one allocation or a series of allocations.

### Contact person for access to background papers and further information:

Name: Joanne Boyle  
Extension: 4129

Iain Veitch  
Head of Regulatory Services

### Background Papers:

Hackney Carriage Unmet Demand Study 2015

## 1. BACKGROUND

- 1.1 Under the Transport Act 1985, Councils may only limit the number of hackney carriage vehicle licences issued for its area where there is no 'significant unmet demand'. The issue of whether or not there is significant unmet demand must be determined through robust statistical analysis of the results of a survey of the demand within that Authority's area. Government guidance recommends that such surveys are undertaken every three years.
- 1.2 The last survey was undertaken in 2012 and concluded that there was a geographical imbalance of provision of hackney carriage services across the borough at night and suggested that one option that the Sub-Committee could consider was a programmed and phased introduction of additional licences. The Sub-Committee took account of this when making its decision and on the 19<sup>th</sup> March 2013 it decided to release 5 plates per year for three years; subject to no new licences being issued until a full review of the hackney carriage vehicle specification was undertaken.
- 1.3 The review of the hackney carriage vehicle specification has not yet been completed, primarily because of the continuing uncertainty over the future of taxi regulation following the Law Commissions recent review of taxi and private hire legislation, and its subsequent recommendations. Consequently, no additional hackney carriage vehicle licences have been issued since the previous survey was undertaken.
- 1.5 The Council currently licenses 143 hackney carriage vehicles.

## 2. INTRODUCTION

- 2.1 On the 2<sup>nd</sup> March 2015 the Council commissioned Vector Transport Consultancy to undertake a study of the hackney carriage market in Trafford.
- 2.2 The study was conducted in pursuit of the following objectives:
- To determine whether or not there exists a significant unmet demand for hackney carriage services in Trafford; and
  - To advise on the action necessary to restore a position of no significant unmet demand if necessary.

## 3. CONCLUSION OF STUDY

- 3.1 The study concludes, taking all observed supply and demand into consideration, that there is no significant unmet demand within the Trafford licensing area. A copy of the summary of the report is attached at **Appendix B**. The full report is available on the Council's website at:  
<http://www.trafford.gov.uk/business/licenses-and-permits/taxi-and-private-hire-news.aspx>

## 4. OPTIONS

- 4.1 Notwithstanding that no significant unmet demand has been identified the Council is not obliged to continue with a limitation policy and could pursue

alternative options. A discussion on the benefits and dis-benefits of each option is attached at **Appendix A**.

4.2 The Sub-committee is invited to consider the presentation by Vector Transport Consultancy, the findings of the study and the comments of the trade and resolve either:

4.2.1 to accept the recommendation of the survey and maintain the current limit of 143 vehicle licences;

4.2.2 to remove the limit on the number of vehicle licences and allow a free entry policy; or

4.3.3 to issue any number of additional vehicle licences as it sees fit, either in one allocation or a series of allocations.

**APPENDIX A**

<b>Option 1</b>	<b>Benefit</b>	<b>Dis-benefits</b>
<p>Maintain the current limit of 143 hackney carriage licences.</p>	<p>Limits the number of vehicles competing for fares, enabling drivers to maintain a higher level of income than may be the case if numbers were unlimited. Results in more full time and 'professional' drivers, than might otherwise be the case.</p>	<p>Limits the number of vehicles which may be brought into service at peak times. Enables plate premium values to develop, where licensed vehicles are sold, with operator license, for a premium over the basic vehicle price. These values attached to taxi licenses increase pressure to litigate for additional licenses, in order to procure high value licenses for free. High plate premiums can form a barrier to entry to the trade. Limits incentives to drivers to identify evolving patterns of demand and adapt and innovate to meet new demand.</p>

<b>Option 2</b>	<b>Benefit</b>	<b>Dis-benefits</b>
<p>Remove the limit on hackney carriage licence numbers.</p>	<p>The market will find its own level of supply and demand. Taxi plates no longer have a premium value so entry to the trade becomes easier.</p> <p>Hackney Carriage drivers are forced to innovate to develop efficient methods to reach more of the market for Hackney Carriage business. This may lead to formation of cooperatives and partnering arrangements.</p>	<p>Drivers may transfer from Private Hire Vehicles to Hackney Carriage operation. This can affect the balance of provision, between Hackney Carriage and Private Hire. As a consequence, some parts of the market, such as suburban night time services, traditionally serviced by Private Hire Vehicles, may be affected by reduced availability. Increased competition and tighter cost control may apply pressure to vehicle quality, both in the Hackney Carriage and Private Hire fleet, resulting in older and less well maintained vehicles. Drivers may 'cherry pick' the most profitable times to operate. i.e. new entrants to the trade may operate on a part time basis at reduced cost with older second hand vehicles and only operate at peak periods of activity associated with the night time economy. This can leave fewer vehicles to service daytime requirements. Hackney Carriages which are driven by multiple drivers, in multiple shifts, may lose drivers to new licenses. Therefore, whilst the number of drivers increases following de-restriction, the number of Hackney Carriages in operation may not increase by the same proportion, if shift operators are not replaced.</p>

<b>Option 3</b>	<b>Benefit</b>	<b>Dis-benefits</b>
<p>A controlled release of hackney carriage vehicle licences.</p>	<p>A controlled release of licences combined with the introduction of additional ranks around demand generators; and measures to encourage use of existing ranks may address the imbalance in provision of hackney carriage services.</p> <p>A more gradual change from a quantity regulation, which will give the trade a gradual period of adjustment when compared to full delimitation at a given date.</p>	<p>The dis-benefits would be similar to those for total deregulation but to a lesser degree.</p> <p>The controlled release could be undermined by a change in the law resulting in national delimitation.</p>



# **Trafford Council – Hackney Carriage Unmet Demand Study**

## **Final Report**

**July 2015**



## EXECUTIVE SUMMARY

### *Key points*

This study has been conducted by Vector Transport Consultancy on behalf of Trafford Council.

The study is intended to fulfil the requirements of Section 16 of the 1985 Transport Act and to address the questions raised in the Department for Transport (DfT) 2010 Best Practice Guidance.

The objectives of the study may be broadly defined as:

- Consultation with major stakeholders
- An unmet need survey
- An assessment of illegal taxi pickups on a match day near Manchester United Football Ground.
- An assessment of Private Hire Vehicle pickups near the Slug and Lettuce pub in Sale.
- Undertake a mystery shopper exercise to look at the disabled passenger experience and over charging on specific routes.

Surveys were undertaken at active taxi ranks, over four days, from Thursday morning to the early hours of Monday morning. The volume of passengers and hackney carriages was recorded, together with Hackney Carriage waiting times, Hackney Carriage queue lengths and wait times for any queuing passengers.

Ten of the existing taxi ranks, which are known to be active, were surveyed. These can be characterised in different ways, defined by surrounding land uses and typical hours of operation.

There are five ranks which serve retailing centres and visitor attractions, these are; Sir Matt Busby Way North, Sir Matt Busby Way South, Barton Dock Road (Trafford Centre), Stretford Mall and Hereford Street.

Ranks which primarily serve the night time economy (pubs, clubs and restaurants) were surveyed at; School Road in Sale, Marsland Road, Sale and Ashley Road in Hale. The retail / tourism based ranks operate during the day, whereas the night time economy based ranks operate primarily, as the name suggests, at night.

There are two more ranks which are active both during the day and at night. These are the station ranks at Altrincham Station and on Northenden Road, outside Sale Metrolink station.

The day time trade is spread throughout the borough. However the night time trade tends to be more active in the centre and south of the borough. This characteristic is emphasised on Friday and Saturday nights, when the night time economy is most active.

The normal situation at ranks, during the hours of operation, is that hackney carriages queue, waiting for passengers. Consequently, incidences of passenger queuing are relatively rare. Approximately 1.6% of passengers had to wait for a Hackney Carriage to arrive at a rank. The incidences of passengers having to wait for a Hackney Carriage were periodic and isolated, rather than continuous queueing. i.e. there were no long or continuous queues forming at the ranks. Extensive queuing over prolonged



periods is one of the indicators of unmet demand and this form of queuing did not occur during the surveys.

Public consultation was undertaken through questionnaire surveys conducted on street in Sale, Urmston and Altrincham. The Public were also offered an opportunity to provide feedback through an online questionnaire. Stakeholder consultation was undertaken with representatives of the taxi trade, minority group representatives, local businesses, visitor attractions, licensed premises, the police, fire brigade and the Council.

The public and stakeholder consultation feedback indicated that:

- The public and stakeholders are generally content with the level of service provided by Hackney Carriages.
- The needs of mobility impaired passengers are generally satisfied by the existing taxi fleet. However, feedback from deaf representatives suggests some frustration with the need to rely on third parties to book taxis on their behalf. Requests for the ability to book taxis by text message were made.
- The storage capacity of some ranks is sometimes insufficient to accommodate all of the hackney carriages waiting for fares.
- There is generally sufficient capacity in the Hackney Carriage fleet to cater for demand.

#### ***Unmet need assessment***

Data from the taxi rank surveys was used, together with any indication from the public consultation surveys of frustration with non-availability of Hackney Carriages, to calculate an Index of Significant Unmet Demand (ISUD). The ISUD index value calculated from the survey results indicates that while there were occasions when passengers had to wait for Hackney Carriages to arrive at the ranks, the level is below the threshold which is held to indicate that the level of unmet demand is significant.

#### ***Mystery shopper exercise***

Mystery shopper surveys were undertaken by surveyors, using a wheel chair, to test drivers' willingness to accept short distance hires by wheel chair passengers. One driver refused to take the wheel chair passenger, stating that he didn't do wheel chairs. Otherwise, none of the other drivers hired refused or showed reluctance to take a wheel chair on a short journey. However, only two drivers offered to secure the wheel chair using securing straps. On one of the journeys undertaken, the driver did not turn off the meter on arrival at the destination, and waited until the wheel chair was unloaded, before switching off the meter and charging the surveyor. One driver forgot to switch on the meter for the journey and the estimated charge was higher than the expected fare.

#### ***Assessment of illegal taxi pick ups near Manchester United Football Ground, on match day***

Video cameras were used to record activity at several locations around Manchester United Football Ground, following a home match. The footage was assessed to record the number of Private Hire Vehicle pickups which appeared to be pre-booked, versus those which appeared not to be pre-booked. The majority of Private Hire Vehicle pickups appeared to not have been pre-booked. Many of these hires were obtained by passengers flagging down approaching Private Hire Vehicles.

#### ***Assessment of Private Hire Vehicle pickups in Sale***

The roadway outside the Slug and Lettuce pub, on School Road in Sale, was observed for four nights, to assess the activity of Private Hire Vehicles which were known to wait on this section of road and were suspected of illegally plying for hire. Following





assessment of the video footage, many of the vehicles were thought to have picked up hires which were not pre-booked.

### ***Trade Consultation***

Trade representatives and drivers were consulted to seek their views on the Hackney Carriage trade in Trafford. The principal issues which were raised by the trade were:

- Concern over the number of Hackney Carriages and Private Hire Vehicles and drivers registered in other licensing authority areas which were working in Trafford in the Private Hire Trade.
- Concerned over the level of perceived plying for hire, by Private Hire Vehicles.
- Concern that Hackney Carriages from other areas, had TAXI roof signs and could easily be confused with licensed Trafford Hackney Carriages, by members of the public.
- Appreciation that with vehicles from other areas operating in Trafford, this limited the revenue stream for the licensing section in Trafford.
- Concern over perceived lack of enforcement in Trafford

It was also pointed out by members of the trade, that several Hackney Carriages were licensed but not effectively in use, by the owners. This feature was attributed to a downturn in trade. This assertion was corroborated by analysing mileage figures from Hackney Carriage tests. Several vehicles had very low mileage increases between tests, suggesting that they were not in daily use.

### ***Conclusions***

The primary purpose of this study is to determine whether there is evidence of significant unmet demand. The conclusion is that there is **no significant unmet demand**.

Users are generally content with the service provided by Hackney Carriages.

Hackney Carriage drivers generally provide good customer care to passengers and are helpful to wheel chair users. However, the majority of drivers tested did not fully secure the wheelchair.

### ***Recommendations***

Illegal plying for hire by Private Hire Vehicles is a growing source of frustration and concern for the trade. There is a perceived lack of enforcement and suggestions from some members of the trade that more and more drivers are inclined to take matters into their own hands with respect to dealing with Private Hire Vehicles 'stealing their trade'. Some high profile enforcement operations may increase the perception amongst the Private Hire trade that the chances of getting caught are increased and help to allay concerns amongst the Hackney Carriage trade.

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## TRAFFORD COUNCIL

**Report to:** Public Protection Sub-Committee  
**Date:** 24<sup>th</sup> September 2015  
**Report of:** Head of Regulatory Services

### Report Title

**PROPOSED CHANGES TO THE HACKNEY CARRIAGE/PRIVATE HIRE DRIVER APPLICATION REQUIREMENTS**

### Summary

The report outlines the outcome of a review of the current taxi driver application procedure following an increase in the number of potential applicants for a licence.

It is proposed to change the current requirements in respect of English language skills; and local area knowledge and training, in order to reduce delays in the application process whilst maintaining driver standards.

### Recommendation(s)

It is recommended that the Sub-Committee agrees to:

- extend the range of acceptable qualifications to prove English language skills;
- remove the requirement to pass a local area knowledge test but introduce a condition that all drivers must carry a working satellite navigation system; and
- extend the length and scope of the driver induction course.

Contact person for access to background papers and further information:

Name: Joanne Boyle  
Extension: 4129

Iain Veitch  
Head of Regulatory Services

## 1. BACKGROUND

- 1.1 The Council's current hackney carriage/private hire driver licence application procedure consists of five stages:

### Stage One – English, numeracy and verbal communication test

- 1.2 In October 2013 the Council introduced a requirement that any person wishing to apply for a hackney carriage/private hire driver's licence must pass an ESOL Entry 2 in English and Numeracy. The requirement applied to all persons irrespective of their educational background or if English was their first language.
- 1.3 The assessments are carried out once a month at the Town Hall by Bolton College. The cost is £40 which is paid in full to the College.
- 1.4 Bolton College are only able to supply an ESOL (English Speakers of Other Languages) assessor once a month. Each session takes fourteen candidates only.
- 1.5 There has been a recent increase in the numbers of people wishing to take the assessment in order to apply for a licence. This is primarily because of the decision by Rossendale Council to review its policy on intended use. The result is that the current waiting time for a place on the assessment is six months.

### Stage Two – Application & DBS forms submitted

- 1.6 All applicants are required to submit an application form with supporting documents; a DBS disclosure form and the application fee.

### Stage Three – Induction course

- 1.7 All applicants must complete an 'in house' induction course which consists of:
- Licensing conditions and legislation framework
  - Customer Care
  - Disability Awareness

### Stage Four – Knowledge Test

- 1.8 All applicants must pass a knowledge test which is delivered 'in house' and consists of a written test on places of interest, pubs, clubs and restaurants; routes; and private hire driver conditions and hackney carriage byelaws. The current pass rate is 25%.

### Stage Five – Medical

- 1.9 All applicants must undergo a Group 1 medical with their own doctor.
- 1.10 Should a candidate pass the knowledge test on the first occasion it would on average take eight months to be granted a driver's licence due to the current waiting times and volume of potential applicants.

## 2. PROPOSED CHANGES TO THE DRIVER APPLICATION PROCESS

- 2.1 Officers have been asked to propose changes to the current requirements in respect of English language skills; local area knowledge and training, in order to reduce delays in the application process whilst maintaining driver standards.

### English Language Skills Assessment

- 2.2 The current system requires that all applicants, irrespective of education or background, must pass an assessment undertaken by the Council's specific provider Bolton College. This requirement is extremely restrictive meaning, for example, a person with a degree in English must currently wait six months to take the assessment before they can apply for a licence. Also, the Council is currently reliant on Bolton College to provide an assessor who is only available once a month which limits the number of candidates who can be assessed at any one time.

#### **Proposal 1**

It is proposed to extend the range of acceptable qualifications to prove English language skills as follows:

Any UK qualification - degree, A/O level, GCSE; or  
A non-UK degree in English; or  
ESOL qualification at Entry 2 from any accredited UK College

Qualification certificate to be produced on application for a hackney carriage/private hire driver's licence

### Local Area Knowledge Test

- 2.3 Anecdotal evidence suggests that one of the reasons for the increase in out of area drivers working in Trafford is the lack of available licensed Trafford drivers. The main reason for the lack of Trafford drivers is that few applicants pass the Council's current knowledge test the first time; and many take several attempts to pass resulting in long delays.
- 2.4 Officers have received complaints from both the hackney carriage and private hire trades that the knowledge test is simply a memory test and is out of date.
- 2.5 The Law Commission in its recent review made a series of far reaching recommendations in respect of taxi and private hire services. It recommended that private hire services should not be subject to locally imposed topographical knowledge tests.

*'Satellite navigation technology is widely if not universally used. The Law Commission suggests that local topographical knowledge tests for private hire drivers is an unnecessary regulatory requirement and they see no need for licensing authorities to require them.'*

- 2.6 It could be argued that the Council's current requirement to pass a local area knowledge test in its current format has had a detrimental effect on the quantity of hackney carriage and private hire drivers in Trafford.
- 2.7 In the light of technological advances, it is suggested that a knowledge test is no longer necessary to determine the 'fit and proper person test' for both hackney carriage and private hire drivers.

### **Proposal 2**

It is proposed to remove the requirement for applicants to pass a local area knowledge test but introduce a condition that all drivers must carry a working satellite navigation system.

### Hackney Carriage/Private Hire Induction Course

- 2.8 The Council currently requires that all applicants attend an induction course which focuses on the roles and responsibilities of being a taxi or private hire driver. It is proposed that a greater emphasis be placed on training applicants on customer care and disability awareness; how to work within local authority guidelines and national legislation; and a greater awareness of child sexual exploitation and how to report any concerns.
- 2.9 It is suggested that delivering 'in house' would give the Council greater control over course content, delivery and effectiveness, and post-course reinforcement; and would also allow the Council to tailor the course content to address localised practice, policy, procedures and conditions.

### **Proposal 3**

It is proposed to require all applicants to complete a driver induction course consisting of:

Licensing conditions and legislation framework  
Customer care  
Wheelchair access and disability awareness  
Child sexual exploitation awareness

## **3. CONSULTATION**

- 3.1 At its meeting on the 20<sup>th</sup> August 2015 the Sub-Committee agreed that officers should undertake a four week consultation with the trade on these proposals. It also agreed that the proposals and the results of the consultation should be reported back to the Sub-Committee for consideration at this evening's meeting.
- 3.2 Officers wrote to all 950 licensed drivers to invite them to take part in the consultation by completing an on-line survey. The last date to complete the survey or submit comments is the 22<sup>nd</sup> September 2015. A full analysis of the results of the survey will be available at the meeting. An analysis of the survey

results received at the time of writing is attached at Appendix A together with respondent's comments and separate email responses.

#### **4. RECOMMENDATIONS**

4.1 The Sub-Committee is invited to consider the report and the responses received following the consultation exercise, and decide whether to:

- extend the range of acceptable qualifications to prove English language skills;
- remove the requirement to pass a local area knowledge test but introduce a condition that all drivers must carry a working satellite navigation system; and
- extend the length and scope of the driver induction course.

4.2 The Sub-Committee is also invited to agree the implementation date for any proposed changes to the application procedure. Officers are currently working on an appropriate effective date which will allow for additional training of staff; and a review of the need for any additional resources in the short-term to deal with a possible increase in demand.

**PROPOSED CHANGES TO DRIVER APPLICATION PROCEDURES  
ON-LINE SURVEY RESPONSES**

<b>Q1. You may be aware of the legal loop-hole that allows taxis licensed by other authorities to work in the Trafford area. Do you think the Council should try to do something to address this issue?</b>		<b>Results</b>	
	Yes	56	94.92%
	No	3	5.08%
<b>Q2. Proposal 1 – Do you think that the above qualifications are appropriate to prove competency in the English Language?</b>			
	Yes	42	71.19%
	No	17	28.81%
<b>Q.3 Proposal 1 – Are there any other qualifications which you think would be acceptable?</b>			
See separate sheet for respondent's comments			
<b>Q4. Proposal 2 – Do you agree with the proposal to remove the requirement to pass a local area knowledge test?</b>			
	Agree	9	15.52%
	Disagree	49	84.48%
<b>Q.5 Proposal 3 – Do you have any other suggestions for topics that should be covered on the induction course?</b>			
See separate sheet for respondent's comments			
<b>Q6. Overall, are you satisfied that these proposals will meet the Council's aim of reducing delays in the application process whilst maintaining standards?</b>			
	Satisfied	14	24.14%
	Not satisfied	34	58.62%
	Don't know	10	17.24%
<b>TOTAL NO. OF SURVEY RESPONDENTS</b>		<b>60</b>	
<b>OTHER (emails etc.)</b>		<b>6</b>	



**SURVEY COMMENTS:**

Respondent No.	Q3: Proposal 1 – Are there any other qualifications which you think would be acceptable?
4	I think to save time and money, a common sense approach is needed, at the first point of call, any officer of the council, having engaged in a conversation with a potential new driver should be able to use their own judgement to see if they can have a normal conversation. If the officer has any doubts, the potential new driver could be referred to the licensing panel, who would have the final say? I know many people who can speak fluent English, have lived in England all their life , but do not have a qualification to prove this. I also know people who cannot read or write but are great orators. Make life simple, please stop putting in my opinion unnecessary obstacles in the way. (certificates).
6	ESOL and other approved and accepted English language tests
7	We expect the driver to know basic math and speak english
10	They should know the area Pub club libraries hotels bars and other things didn't comes up on TomTom so you must take knowledge test and English and math test also important too
12	An applicant must be able too demonstrate conversational English, and numeracy.
13	No, the government set maths and English test should be imposed
15	Language communication skill personality skill Very strong knowledge test very strong criminal record should be required to all driver drivers come from oversee should be quiet criminal record from oversee
16.	LOCAL KNOWLEDGE TEST AND BASIC ENGLISH AND MATHS
21	Qualifications should only be acquired in UK. But spoken English and comprehension should be tested by the council
22	Proven qualifications in English and Maths And proof of identity, ie passport.
24	to have some knowledge of the local area
26	English speaking clearly, well mannered, very good area knowledge.
28	Verbal test
32	I don't believe a degree obtained in another country will show that the person applying to work as a taxi driver can actually speak and understand the English language.
36	Life in the uk
37	Wheel chair training with all the different Hackney vehicles licensed by Trafford council . A verbal test & communication skills ie able to speak good English
38	They need to pass the English Test Set out by Bolton University.
39	I think that the current in house driver training course is sufficient for a taxi driver who wants to work in the trafford area as i had to pass my test - badge no: PD1079 and so did my dad badge no: PD0069 and i see this removing the knowledge test as unfair on us that had to go through

	this procedure
41	Mathamatics
42	Communication Skills Hold a conversation
44	A knowledge of the area you want to work
48	All candidates must gone through the basic English communication test to ensure that customers get the quality service. British is multi cultural society and some drivers not able to communicate in English at all which is quite frustrated for customers.
52	ESOL qualification should be Entry 3
54	Ability to speak english
56	It should include a verbal test .as a paying customer should be able to convers with the driver.

**SURVEY COMMENTS:**

<b>Respondent No.</b>	<b>Q5: Proposal 3 – Do you have any other suggestions for topics that should be covered on the induction course?</b>
4	I personally would like to see a basic test carried out by Trafford licensing, a simple 10 min interview would show their knowledge, I.E. Full knowledge of emergency hospitals. You don't need to know the road names ,just prove you have a general idea of where you are and where your going?
5	Sat Nav compliments direction but many times takes the longest route, fastest is not always shortest! This will cause problems! The knowledge test should remain and beefed up.
7	I think roof signs should be removed and door signs compulsory
10	Must to do knowledge test Hospital didn't comes up on nevegation
13	Sexual harassment, drug and alcohol use
15	The council should take very strong cases to protect Hackney carriage trade in Trafford Trafford have a very big problem the driver coming from different borough council they have hackney carriage plate in the normal vehicle this should be stopped immediately
16	BASIC ENGLISH AND MATHS TEST , KNOWLEDGE TEST
18	Knowledge test is really important as the customers they expect you to know the area,some customers they don't like you giving the postcode.
21	Actual driving test as some councils have introduced. with RIGID IDENTITY CHECKS. (So that you can check the person named is actually taking the test).
22	highway code and traffic bylaws
24	be observant ask if any help is required
26	Most important area knowledge, and for drivers to be polite. My recent trip back from Manchester Airport I had to direct the driver back to my home Address of Salemmoor. To me this is not acceptable
28	A more difficult knowledge test is required to reduce the ridiculous amount of complaints of drivers not knowing the basics from now on we will direct all complants from the public to the licensing department at trafford town hall so you can see for yourself the amount of bad feeling from the public.personally I can't believe the stupidity of the proposals why not do away with with all tests and just give anybody that turns up a badge
31	Hygiene of driver. Hours worked. How to correctly carry a wheelchair passenger
32	Not all clients know the postcode of their destination and in this regard i feel it is necessary that all drivers applying for a licence to work in the borough of Trafford should undergo an examination to show that they have a working knowledge of the borough.
38	They need to be able to prove they can read and speak a understandable level of English.
39	No. This the knowledge test is key as there are enough complaints daily from customers who are having to deal with uneducated non english literate drivers, not knowing where they are going.

41	No there all area's are covered
43	How to communicate with the public. ie they can understand a customer and a customer can understand the driver
44	A current crb and badge for the area you are going to work
48	Area knowledge must required for taxi drivers as this must be the basic job description of a private hire or Hackney driver. Drivers from the others council should not be allowed to work for trafford operators.
50	No suggestions but don't let Trafford's standards drop by getting rid of the test and presentation. Let Trafford continue to be one of the better authorities where residents feel they are being safeguarded
52	How to put a wheelchair in to each type of Taxi used in Trafford
57	I think Council should put a cap on how many licenses are issued for Drivrers. Also I think Trafford Council should ask for feedback from customers who use taxi instead of us Drivers.
59	No other suggestions. As a Trafford resident I feel it is important for me to know that you have conducted a written & induction course on all taxi drivers

**Boyle, Joanne**

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**From:** Guy Morgan <pmjtravel@btconnect.com>  
**Sent:** 25 August 2015 15:21  
**To:** Boyle, Joanne  
**Subject:** Re: PROPOSED CHANGES TO THE TAXI AND PRIVATE HIRE DRIVER APPLICATIONS PROCESS

when I opened the link it went straight into the survey so I couldnt read anything before, so I filled in the survey best I could.

The part that related to the knowledge test being replaced by Sat Nav is a cause for concern, on the sat nav it states fastest route, which may not be the shortest route (as we are required to take?) that could lead to problems and drivers should know where they are going in case the sat nav breaks down, we are regularly stopped by drivers who have no idea where the "Top Club" is in Altrincham, (Conservative Club) sat navs wont tell drivers these things only the knowledge test provides for them, so to remove it seems wrong to me.

Cheers

Guy

**From:** [Boyle, Joanne](#)  
**Sent:** Tuesday, August 25, 2015 2:16 PM  
**To:** 'Guy Morgan'  
**Subject:** RE: PROPOSED CHANGES TO THE TAXI AND PRIVATE HIRE DRIVER APPLICATIONS PROCESS

Hi Guy

I have not sure what is happening...no one else has encountered a problem. Have you tried copying the link and pasting it into your internet address?

*Joanne Boyle*

Team Leader (Licensing)  
 Licensing Section  
 Regulatory Services  
 Trafford Council  
 Trafford Town Hall  
 Talbot Road  
 Stretford  
 M32 0TH  
 Tel: 0161 912 4129

Trafford Council is a well-performing, low-cost council delivering excellent services to make Trafford a great place to live, learn, work and relax  
 You can find out more about us by visiting [www.trafford.gov.uk](http://www.trafford.gov.uk)

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**From:** Guy Morgan [mailto:pmjtravel@btconnect.com]  
**Sent:** 25 August 2015 13:57

**Boyle, Joanne**

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**From:** Paul Brent <paulbrent04@hotmail.com>  
**Sent:** 27 August 2015 08:13  
**To:** Boyle, Joanne; Freeman, Mike; Mike Whetton  
**Subject:** Proposed Changes to HC / PHV

Hello Joanne

I have completed your recent consultation paper, with the omission of the question of the knowledge test being removed.

Whilst I agree with the removal at the inception I feel it would be prudent to put in a condition that a new applicant must pass a knowledge test before their next renewal.

Kind regards

Paul Brent (HC 75)

**Boyle, Joanne**

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**From:** philjordan1147 <philjordan1147@gmail.com>  
**Sent:** 29 August 2015 21:28  
**To:** Licensing  
**Subject:** Driver Application Procedures

**Categories:** Joanne

I've just completed the survey, and while "two out of three ain't bad", I'm very concerned about the satnav requirement.

It isn't possible to monitor the way in which a satnav is set up. I always have mine on "shortest route" when working, but on "quickest route" at other times.

The latter setting can send the driver considerably further by using a motorway....I see difficulties particularly on jobs to the Airport.

I therefore believe that a local area knowledge test needs to be maintained.

Have the Council ever considered sending an examiner out with a candidate for approximately an hour, and sending the driver to two or three destinations and back to the Town Hall ? I believe this would be an excellent way to test the driver's skills.

Sent from Samsung Mobile on O2

**Boyle, Joanne**

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**From:** linda thomas <lindarosestomas1@gmail.com>  
**Sent:** 01 September 2015 20:03  
**To:** Licensing  
**Subject:** proposed changes to driver application procedures

Joanne Boyle. Licensing Team Leader.

Regarding your proposed changes to the driver applications

I am a hackney cab driver in Trafford , and the amount of complaints , ( on a daily basis from customers regarding the total use of sat navs by both hackney and private hire drivers . Mainly private hire drivers who come from other parts of the country, Rossendale, etc etc etc to work in Trafford.

You need a good knowledge of the area, which the test make sure of. we all had to do the test and pay for it, some of us also taking the N.V.Q.Test.

Your proposed changes are an open invite for drivers from every part of the country to flood Trafford.

We are struggling to earn a living these days, we sit at the ranks for hours while our work is being took by private hire drivers, who don't care about rules or licensing and they even sit on the ranks right in front of our eyes and swear at us if we say anything , the amount of private hire cars being allowed in Trafford without the fear of even more. is ridiculous and they can't possibly be monitored by by Trafford.

Trafford cab drivers should live in trafford .

How on earth can all these cars from all over the country be monitored or watched over if they can work anywhere in the country

David Cherry hackney cab driver Trafford



**Boyle, Joanne**

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**From:** Roy Courts <roysmobi@googlemail.com>  
**Sent:** 02 September 2015 14:00  
**To:** Licensing  
**Subject:** Re- Proposed changes to Driver Application Procedures/

I would like to make the following comments.

Extending the range of acceptable qualifications:-

I would suggest this be kept to 'VERIFIED' English organisations only (with a strict verification i.e. that person has sat and passed the test). As, we are all aware that *even* medical qualifications are being forged abroad and used in the UK.

Removal of Knowledge test:-

I would recommend that new drivers at least show a working knowledge of the Trafford Area.

Other Additional Items.

To protect the public, some councils now insist on a driving test as part of qualification. As driving standards may well have slipped since the licence was issued to the driver or they may never have sat a test themselves (someone else took it for them?). I would like to request that all new drivers take a driving test (with rigid identity checks).

All new drivers should sign to say that their details may be shared with other organisations i.e revenue and customs, immigration, csa etc....

You should verify that applicants have the right to stay and work in the U.K.

Many Thanks

Roy Courts

To extend the range of acceptable qualifications to prove English language skills

On this subject I have no comments other than to say that if it speeds the applicants through quicker and removes a bottle neck then I am in favour of it.

To remove the requirement to pass a local area knowledge test but introduce a condition that all drivers must carry a working satellite navigation system.

As a Hackney carriage driver I have no say or opinion on how Private Hire drivers work so I cannot comment on whether they use a Sat. Nav. or not for local work.

However, I was informed when I took and passed my knowledge test that a Hackney Carriage Driver is required to take passengers from point A to point B by the shortest possible route. Therefore I believe that a Sat. Nav. should not be used for local work. Each driver should have some local knowledge of where he works, a Sat. Nav. even if set for the shortest routes does not use small side roads, this is where local knowledge comes into it.

I would suggest if an applicant takes and fails the knowledge test he should be given a 3/6 month Badge. And after that time he should be brought back in to retake his knowledge test. (If he fails the second time his badge is not renewed). I also believe that you should be more flexible with the answers. (I.e. when going from Altrincham to Stretford if they say straight down the A556 this should be as acceptable as saying Manchester Road, Washway |Road, Cross Street, Chester Road and Talbot Road)

To extend the length and scope of the driver induction course

As I do not know the course I cannot comment on this.

RECEIVED FROM ERIC BULLOCK (TTODA) 14.09.15

**TRAFFORD COUNCIL**

**Report to:** Public Protection Sub-Committee  
**Date:** 24<sup>th</sup> September 2015  
**Report for:** Decision  
**Report of:** Head of Regulatory Services

**Report Title**

**AMENDMENTS TO HACKNEY CARRIAGE AND PRIVATE HIRE POLICY AND FEES FOLLOWING THE DEREGULATION ACT 2015**

**Summary**

To inform Members of changes to legislation effecting hackney carriage and private hire licences; and to propose amendments to the fees for driver and operator licences to reflect the change in national legislation.

**Recommendations**

1. That the Sub-Committee agree:

- (i) that from the 1<sup>st</sup> October 2015 all private hire operator licences are issued for five years, unless the operator requests a one year licence;
- (ii) that from the 1<sup>st</sup> October 2015 all new and renewed hackney carriage and private hire driver's licences are issued for three years; except in certain circumstances, namely:
  - Where the renewal of the licence does not coincide with the DBS check as outlined in the report;
  - Where the applicant requests a one year licence;
  - Where an applicant's right to work visa is due to expire;
  - Where matters arise that the Sub-Committee or Licensing Manager believe make it appropriate, in the circumstances of the case, to issue a licence for less than three years.

2. That the Sub-Committee consider the report and any objections to the proposed fees, and either:

- (i) approve the proposed fees; or
- (ii) modify the proposed fees; and

confirm that any new fees will become effective on the 1<sup>st</sup> October 2015.

**Contact person for access to background papers and further information:**

Name: Joanne Boyle  
Extension: 4129

Iain Veitch  
Head of Regulatory Services

## 1. BACKGROUND

- 1.1 The Deregulation Act 2015 received Royal Assent on 26<sup>th</sup> March 2015 with changes to hackney carriage and private hire legislation coming into effect from the 1<sup>st</sup> October 2015. The whole Act consists of a range of changes to many regulatory functions including two provisions that will affect taxi and private hire licensing.
- 1.2 The first provision is that hackney carriage and private hire driver's licences should be issued for three years and private hire operator licences for five years, unless there are reasons for not doing so.
- 1.3 The second provision is to permit private hire operators to sub-contract journeys to other private hire operators outside of the district. At present, private hire operators are only permitted to sub-contract journeys to other private hire operators who are licensed in the same district.
- 1.4 Currently, hackney carriage and private hire driver's licences and private hire operator licences in Trafford are issued for one year; therefore, it is necessary for the licensing regime, including fees and charges, to be reviewed to enable compliance with the Deregulation Act.

## 2. PROPOSED AMENDMENTS

### Private Hire Operator Licences

- 2.1 The Council currently issues private hire operator licences for one year. The Deregulation Act provides that these licences 'shall remain in force for five years or for such lesser period, specified in the licence, as the district council thinks appropriate in the circumstances of the case'. Therefore, it is proposed that from the 1<sup>st</sup> October 2015 all private hire operator licences are issued for either one year or five years.
- 2.2 There are currently 21 licensed private hire operators in Trafford and the Council has a sliding scale of charges for these licences depending on the number of vehicles a company wishes to operate.
- 2.3 A detailed assessment was undertaken to assess the effect of the changes on the costs of administration. Following the assessment it is proposed to charge the following fees for a five year private hire operator's licence:

	<b>1 Vehicle</b>	<b>Plus 1 up to 5 Vehicles</b>	<b>6 – 10 Vehicles</b>	<b>11 – 29 Vehicles</b>	<b>30 + Vehicles</b>
	£	£	£	£	£
Current Annual Fee	190.00	31.00	368.50	498.00	654.00
<b>Proposed 5 Year Fee</b>	<b>800.57</b>	<b>31.00</b>	<b>1,552.68</b>	<b>2,098.33</b>	<b>2,755.64</b>
Annualised New Fee	160.11	6.20	310.54	419.67	551.13

The one year or five year fee will be payable on the grant or renewal of the licence. The fees will be reviewed regularly as part of the annual Council fee setting process.

## Hackney Carriage and Private Hire Driver's Licences

2.4 The Council currently issues hackney carriage and private hire driver's licences for one year. The Deregulation Act provides that these licences 'shall remain in force for three years or for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case'.

2.5 In order to align the DBS checks and driver licences, it is proposed to issue a driver with a one, two or three year licence from the next renewal date (after the 1<sup>st</sup> October 2015) depending on when the individual driver's next DBS check is due. For example, if a driver requires a DBS check on the 1<sup>st</sup> December 2016 he/she will be issued with a one year licence on the 1<sup>st</sup> December 2015 so that the next renewal date coincides with the due date for the DBS check; the next licence will then be issued for three years, meaning that from that point on the renewal date and DBS check will be in tandem.

2.6 The Deregulation Act provides that the Council may issue a driver's licence for less than three years where it considers it reasonable to do so, and officers would suggest that such circumstances may include:

- Where the renewal of the licence does not coincide with the DBS check as outlined in the report;
- Where the applicant requests a one year licence;
- Where an applicant's 'right to work' visa is due to expire;
- Where matters arise that the Sub-Committee or Licensing Manager believe make it appropriate, in the circumstances of the case, to issue a licence for less than three years.

2.7 A detailed assessment was undertaken to assess the effect of the changes on the costs of administration. Following the assessment it is proposed to charge the following fees for hackney carriage/private hire driver's licences:

	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>
	£	£	£
Current New HC/PH Driver Fee	134.50		
Current PH Driver Renewal Fee	85.00		
Current HC Driver Renewal Fee	101.55*		
<b>Proposed New HC/PH Driver Fee</b>	<b>134.50</b>	<b>199.40</b>	<b>264.30</b>
<b>Proposed PH Driver Renewal Fee</b>	<b>85.00</b>	<b>149.90</b>	<b>214.80</b>
<b>Proposed HC Driver Renewal Fee</b>	<b>101.55*</b>	<b>166.00*</b>	<b>231.00*</b>

\*includes cost of unmet demand survey

The one year or full three year fee will be payable on the grant or renewal of the licence, except in the circumstances detailed at paragraph 2.6. The fees will be reviewed regularly as part of the annual Council fee setting process.

### Consultation

2.8 Under section 52(3) and section 70 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may charge a fee for the following:

- Hackney carriage proprietor and driver licences;
- Private hire vehicle and driver licences;
- Private hire operator licences.

2.9 If the fees are to be greater than the fees laid down in section 70(2) for vehicle and operator licences (not driver licences) then notice must be published in a local newspaper, giving details of the proposed fees and giving 28 days for objections to be made.

2.10 A notice of the proposed fees appeared in a local newspaper on the 27<sup>th</sup> August 2015 with the last date for objections being the 23<sup>rd</sup> September 2015. Any objections received within the consultation period will be available for consideration at this evening's meeting.

#### **4. KEY ISSUES**

3.1 When considering a fee increase the Council must take into account the impact of any increase on the livelihood of those affected. However, the local authority's overriding aim must be to protect the public and, within the statutory mechanisms, to provide an efficient and effective service for all concerned. The control of hackney carriage and private hire vehicles, and associated drivers and operators, is a time-consuming and costly exercise, and it is quite legitimate for a local authority to recover as much of the costs as they are able to in relation to this. Those involved in the hackney carriage and private hire trades are in a business and it would be difficult to justify an approach where the local authority subsidised private enterprise by refusing to recover as much of the costs associated with its statutory duties as it is able.

#### **5. RECOMMENDATIONS**

5.1 That the Sub-Committee agree:

5.1.1 that from the 1<sup>st</sup> October 2015 all private hire operator licences are issued for five years, unless the operator requests a one year licence;

5.1.2 that from the 1<sup>st</sup> October 2015 all new and renewed hackney carriage and private hire driver's licences are issued for three years; except in certain circumstances, namely:

- Where the renewal of the licence does not coincide with the DBS check as outlined in the report;
- Where the applicant requests a one year licence;
- Where an applicant's right to work visa is due to expire;
- Where matters arise that the Sub-Committee or Licensing Manager believe make it appropriate, in the circumstances, to issue a licence for less than three years.

5.2 That the Sub-Committee consider the report and any objections to the proposed fees, and either:

5.2.1 approve the proposed fees; or  
5.2.1 modify the proposed fees; and

confirm that any new fees will become effective on the 1<sup>st</sup> October 2015.

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

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