

Committee: LICENSING COMMITTEE

Agenda Item

Date: January 24, 2007

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Title: GOVERNMENT GUIDANCE ON BEST PRACTICE FOR TAXI AND PRIVATE HIRE VEHICLE LICENSING

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Item for decision

Summary

1. This report is to inform members of Government guidance for best practice in licensing to enable members to determine what amendments (if any) they wish to make to their licensing policy.

Recommendations

2. That the current licensing policies remain unchanged.

Impact

3.

Communication/Consultation	None.
Community Safety	None.
Equalities	None.
Finance	None.
Human Rights	None.
Legal Implications	The Council must have regard to guidance issued by the Government in considering its policy but is not bound by it.
Ward-specific impacts	None.
Workforce/Workplace	None.

Situation

4. In August 2005 the Government published a consultation paper on draft best practice guidance for taxi and private hire vehicle licensing. A report was presented to the committee on the 14 September 2005 and I responded

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on behalf of the committee in accordance with the committee's wishes. Generally, the guidance now published follows that proposed in the consultation document. In this report I shall concentrate only on the areas where this council's policies do not accord with the suggested best practice guidance.

5. The guidance recommends that local authorities should have more than one testing centre and suggests there may be advantages in contracting out the work to different garages. In my report of 14 September 2005, I highlighted the advantages of the council conducting its own tests and that outsourcing should only be considered as a last resort if the council is unable to provide adequate testing services. The committee accepted that view and I responded to the consultation accordingly. I do not therefore recommend that the council now changes its policy in that respect.
6. Under the legislation drivers' licences can be issued for up to 3 years. The guidance recommends that this should be adopted as the norm but suggests that authorities may offer an alternative of a 1 year licence to those unable to pay a fee for a 3 year licence. In my report on 14 September 2005 I commented that experience has shown that the condition for drivers to report convictions is frequently breached. This could lead to drivers continuing to drive when they no longer meet the council's licensing standards and would be considered for a suspension or revocation of their licence. Members accepted that recommendation and agreed that a 3 year renewal creates an unnecessary degree of risk that unsuitable persons may drive. One year renewals reduce the risk to an acceptable level and was endorsed by members. The maximum length of licence for an operator is 5 years. The guidance is that this would be the appropriate period. In my report on 14 September I drew attention to the fact that the register of licences is a public document. If it is outdated (because operators have ceased to carry on business), this could discourage potential new operators from entering the market. Members agreed that it is important that the register is kept up to date and the best practice would therefore require operator's licences to be issued annually. I do not therefore recommend that the council changes its policies with regard to the duration of licences.
7. The guidance recommends as best practice that hackney carriage drivers should take a local knowledge test and that PHV drivers should demonstrate an ability to read a map and have knowledge of key places (such as main roads and railway stations) within the district. Members agreed with my recommendation that whilst such checks may be appropriate in urban areas, they would not constitute best practice in a large rural area such as Uttlesford. I do not recommend that the council changes its procedures in this respect.
8. No guidance has been given with regard to the standards to be applied for private hire vehicle and hackney carriage drivers. I recommend therefore the council does not change its standards in that respect, the same having been last reviewed in 2003.