Mission Statement

To Improve the Quality of Life
For Those Who Live and Work in The District

29 December 2009

Dear Councillor

You are hereby invited to a meeting of the Licensing Committee to be held in Committee Room 2, Civic Centre, Portholme Road, Selby on Monday, **11 January 2010**, commencing at **10:00 am**.

The agenda is set out below.

1. Apologies for Absence and Notice of Substitution

To receive apologies for absence and notification of substitution.

2. Disclosure of Interest

To receive any disclosures of interest in matters to be considered at the meeting in accordance with the provisions of Section 117 of the Local Government Act 1972, and Sections 50, 52 and 81 of the Local Government Act 2000 and the Members' Code of Conduct adopted by the Council.

3. Minutes

To confirm as a correct record the minutes of the proceedings of the meeting of the Licensing Committee held on 7 December 2009 (pages 4 to 5 attached)

4. Procedure

To outline the procedure to be followed at the meeting (pages 6 to 7 attached).

5. Chair's Address to the Licensing Committee

Hackney Carriage and Private Hire Vehicles Review of Legislation

Report of the Licensing Enforcement Officer (pages 8 to 47 attached).

7. Private Session

That in accordance with Section 100(A)(4) of the Local Government Act 1972 in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following items as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 3 of the new Schedule 12 (A) of the Local Government (Access to information) (Variation) Order 2006.

8. Application for grant of Hackney Carriage License

Report of the Licensing Enforcement Officer (pages 48 to 66 attached)

M Connor Chief Executive 29 December 2009

Disclosure of Interest – Guidance Notes:

- (a) Councillors are reminded of the need to consider whether they have any personal or prejudicial interests to declare on any item on this agenda, and, if so, of the need to explain the reason(s) why they have any personal or prejudicial interests when making a declaration.
- (b) The Democratic Services Officer or relevant Committee Administrator will be pleased to advise you on interest issues. Ideally their views should be sought as soon as possible and preferably prior to the day of the meeting, so that time is available to explore adequately any issues that might arise.

[Please note that the papers relating to the applications have been circulated to councillors of the Licensing Committee only, who should return the agenda to Democratic Services at the conclusion of the meeting to enable the papers to be destroyed confidentially].

Dates of Future Meetings of the Licensing Committee

Date of Meeting
11 January 2010
8 February 2010

Membership of the Licensing Committee 10 Members

Conservative	Labour	Independent
J Dyson	D Davies	J McCartney
K McSherry	S Duckett	
C Pearson (Vice-Chair)		
S Ryder		
R Sayner (Chair)		
A Spetch		
D White		

Enquiries relating to this agenda, please contact Jade Hibberd on:

Tel: 01757 292078 Fax: 01757 292020

Email: jhibberd@selby.gov.uk

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 7 December 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10.00 am.

437	Apologies
438	Disclosure of Interest
439	Minutes
440	Procedure
441	Chairs address to the Licensing Committee
442	Private Session
443	Application for grant of Hackney Carriage Licence

Present: Councillor R Sayner in the Chair

Councillors: Councillor Mrs D White, Councillor Mrs D Davies, Councillor Mrs S

Duckett, Councillor Mrs J Dyson, Councillor K Ellis, Councillor Mrs P

Mackay and Councillor Mrs S Ryder.

Officials: Senior Solicitor, Licensing Enforcement Officer and Committee Services

Officer.

Public: 0 Press: 0

437 Apologies for Absence and Substitution

Apologies were received from Councillors Mrs K McSherry and Eileen Metcalfe (Due to substitute for Councillor Mrs K McSherry).

438 **Disclosure of Interest**

There were none.

439 Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 9 November 2009 be confirmed as a correct record and be signed by the Chair.

440 Procedure

The Procedure was noted.

441 Chair's Address to the Licensing Committee

The Chair notified the Licensing Committee that there would be refresher training for councillors arranged by the Licensing Enforcement Officer and Senior Solicitor.

442 Private Session

That in accordance with Section 100(A)(4) of the Local Government Act 1972 in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following items as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 3 of the new Schedule 12 (A) of the Local Government (Access to information) (Variation) Order 2006.

443 Application for grant of Hackney Carriage Licence

Resolved: That

In the absence of the applicant this item be deferred until the next Licensing Committee meeting due to be held on 11 January 2010.

The meeting closed at 10:20am.

LICENSING COMMITTEE

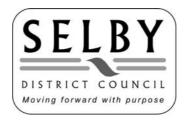
PROCEDURES TO BE FOLLOWED

The Licensing Committee acts in a quasi judicial capacity to give a fair hearing to an applicant where a hearing is required by law or equity. When considering the case the only evidence the Members of the Committee can take into account is evidence previously submitted to form the agenda and any verbal evidence given at the actual meeting by Officers representing the Council and by the applicant or his/her representative, and their witnesses. The following procedures must be followed.

- 1. Procedures to be followed when submitting an application to the Licensing Committee for consideration;
 - i) The Council's Officers will liaise with the Committee Section to arrange a suitable date for the meeting. The applicant and Members of the Committee will be informed of this date in writing and a copy of the procedure note will be included for the applicant.
 - ii) The applicant and Council's Officers will submit any written evidence to the Committee Section for inclusion in the agenda by a given date. If the evidence is to be verbal, this should be stated.
 - iii) If witnesses are to be called the Committee Section must be notified prior to the hearing.
 - iv) Any application for adjournment because of late submission of papers, will in principle be considered sympathetically by the Committee.
- 2. The procedure to be followed by the Licensing Committee:
 - i) For each individual case the applicant and any representatives will be shown into the Committee Room at the same time as the appropriate Council's Officers. Witnesses will enter the room at the same time unless there are any objections.
 - ii) The District Solicitor will introduce the applicant, any representatives, witnesses and the Council's Officers to the Members of the Committee.
 - iii) The Chair will introduce Members of the Committee.
 - iv) The Chair will then go through the prcoedure as follows:

- a) Officers representing the Council will present the case for the Council. They may present such witnesses as they believe are appropriate.
- b) Officers representing the Council, and any witnesses, will then answer questions from the applicant or his/her representative, and from Members of the Committee.
- c) The applicant or his/her representative will then present the applicant's case. They may present such witnesses as they believe are appropriate.
- d) The applicant or his/her representative, and any witnesses, will then answer questions from the Committee and the Council's Officers.
- e) The Council's Officers will then sum up on behalf of the Council.
- f) The applicant or his/her representative will then sum up.
- g) The applicant and his/her representative will then be asked whether they consider they have had a fair hearing and the Committee will take into account any comments, which are then made. The Chair of the Committee will then ask the Council's Officers presenting the case the same question and will again take account of any comments made.
- h) The Council's Officers, the applicant and his/her representative, all witnesses, press and public, will then be asked to withdraw from the meeting whilst the Committee makes their decision on the evidence presented.
- i) The applicant and his/her representative, the Council's Officers, all witnesses, press and public, will be invited back into the meeting to be informed of the Committee's decision.

Following the Committee meeting the Committee Section will inform in writing to the applicant the decision of the Licensing Committee.



Agenda Item No:6

Title: Grant permission to Licensing Department to respond, for

and on behalf of Selby District Council, to a consultation from the Institute of Licensing to establish if there is a need to reform legislation relating to Hackney Carriages

and Private Hire Vehicles.

To: Licensing Committee

Date: 11 January 2010

Service Area: Customers and Business Support

Author: Tim Grogan

Presented by: Tim Grogan

1. Purpose of Report

1.1 To consider a request from the Licensing Department to respond to a consultation from the Institute of Licensing to establish if there is a need to reform legislation relating to Hackney Carriages and Private Hire Vehicles.

2. Recommendation(s)

2.1 To allow the Licensing Department to respond to a substantial nationwide consultation by the Institute of Licensing to establish how existing legislation, much of which dates to 1847, works for different users including drivers, operators, customers and regulators.

3. Executive Summary

3.1 This report requests councillors to consider a request from the Licensing Department to respond to a substantial nationwide consultation sponsored by the Institute of Licensing to establish the effectiveness of existing legislation in

connection with Hackney Carriages and Private Hire Vehicles with a view to reforming such legislation to make it fit for purpose for the 21st century.

4. The Report

- 4.1 The Institute of Licensing (IOL) is the professional body for public and private sector licensing practitioners involved in regulatory work such as alcohol, gambling, street trading, charity collections and Hackney Carriage and Private Hire Vehicle licensing. It is a company limited by guarantee and a registered charity.
- 4.2 As a consequence of its involvement in Hackney Carriage and Private Hire Vehicle licensing the organisation considers that owing to archaic laws that regulate their activity there are wide differences in standards across England and Wales. This has resulted in the emergence of loopholes which provide opportunities for the unscrupulous and pitfalls for the unwary. These can potentially place passengers, drivers and the general public at risk.
- 4.3 In particular, much of the existing laws date back to 1847. This has contributed to a lack of understanding making it easier for rogue operators to risk customer safety. As the legislation was framed well over 150 years ago different interpretations lead to varying requirements across the country.
- 4.4 Through its work with Licensing Authorities throughout England and Wales the IOL has established; that there are an estimated 600 million taxi journeys each year, that most journeys are undertaken by younger people and those on low incomes without access to cars, that there are over 69,000 licensed taxis and 264,000 licensed drivers.
- 4.5 The experience gathered as a result of this close connection with the regulation of the trade has enabled the IOL to draft a consultation to seek the views on whether reform of the law could benefit the provision of taxi services through the following:
 - Eliminating inconsistencies between licensing authorities in the application of outdated legislation
 - Removing outdated practices and controls which stifle economic development and competition
 - Enforcing public protection and safety by virtue of a simplified system of regulation
 - Promoting the environmental impact of sustainable transport
 - Recognising and embedding licensed vehicle as part of the national public transport infrastructure
 - Reducing the administrative burden on licence holders and licensing authorities
 - Providing a better structured and more understandable framework
- 4.6 The consultation seeks the views from everyone who has any interest in taxis. It asks questions covering understanding of existing law, seeks views on

- whether change is necessary and asks what changes would benefit users, the trade and regulators.
- 4.7 This is the very first consultation of this type to include public as users in addition to the Hackney Carriage and Private Hire trade and the regulators.
- 4.8 The consultation period is: 3rd December 2009 31st March 2009 and will be conducted via an online survey which can be found at: http://www.instituteoflicensing.org/taxireform.html
- 4.9 The consultation seeks not only individual views but those of regulators and whether the opinions of regulators are endorsed by their organisation. In discussions with the Institute's President, James Button, Local Authority Licensing Officers are asked to request endorsement as these views carry much more weight.
- 4.10 A copy of the survey has been printed off and is attached.

5. Financial Implications

5.1 There are no financial implications.

6. Link to Corporate Plan

6.1 The additional safeguards proposed in this report will help support the Council's strategic theme of putting customers first.

7 How Does This Report Link to Council's Priorities?

7.1.1 This report will contribute towards acknowledging the priority of safer communities.

8 Impact on Corporate Policies

8.1 Service Improvement The consultation could result in an amendment to legislation and therefore improve services to the public

8.2 Equalities No Impact

8.3 Community Safety and Crime Impact

The consultation could result in an amendment to legislation and therefore prevent rogue operators using loopholes thereby risking the safety of the public.

8.4 Procurement No Impact

8.5 Risk Management Impact

The consultation could result in an amendment to legislation and ensure that high risk drivers are identified thereby ensuring the safety of the public.

8.6 Sustainability No Impact

8.7 Value for Money No Impact

- 9 Background Papers
- 9.1 Copy of Taxi Reform Survey



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WELCOME TO THE TAXI REFORM SURVEY

1 / 22		5%
/	 	

PLEASE COMPLETE THIS SURVEY AND ENCOURAGE YOUR FAMILY, FRIENDS AND COLLEAGUES TO COMPLETE IT. IT IS IMPORTANT THAT WE OBTAIN AS MANY VIEWS AS POSSIBLE.

The Institute of Licensing is conducting a substantial nationwide survey to find out how the existing laws relating to taxis and private hire vehicles is working for users, drivers, operators and regulators.

This survey seeks your views on the laws and practice relating to taxis and private hire vehicles.

The survey is intended for all users, operators and regulators of licensed vehicles. Where appropriate, explanations of the existing law are included throughout the survey, and more information about taxi licensing laws and the work of the Taxi Reform Party can be found at:

http://www.instituteoflicensing.org/taxireform.html



Incorporating the Society of Licensing Practitioners

Next



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INTRODUCTION - AN OVERVIEW OF CURRENT TAXI LICENSING

2 / 22	9%

Everyone knows what a taxi is.

However the laws under which licensed vehicles operate is complex and date back as far as 1847.

More information in relation to the existing laws can be found on the Institute's website see: http://www.instituteoflicensing.org/taxireform.html

The system differs between London and the rest of England and Wales, with different legislation although the principles remain the same. Outside London local authorities are responsible for licensing all hackney carriage and private hire activities, and within London, those responsibilities lie with the Public Carriage Office which is part of Transport for London.

Throughout this survey references to local councils as licensing authorities should be taken to include the Public Carriage Office (for London).

Notes on the existing law are included where appropriate to assist in explaning the question.

Previous

Next



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ABOUT YOU

3 / 22	1/10/6
3 / 22	14%

Who are you?

This section seeks background information about the person/organisation completing the questionnaire.

	se tell us who you are! ease tell us in which capacity you are answering this survey
	ease ten as in which capacity you are answering this survey
Oth	er (please state)
2. P	lease state the name of your company / organisation (optional)
3. H	as your response been endorsed by your organisation?
0	Yes
0	No
0	Not applicable
4. W	hich county are you from?
	Previous Next



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Your use of Taxis

	 	 	_
4 / 22		18%	

These questions relate to your personal use of taxis and your knowledge of the existing legal requirements.

5. H	low regularly do you use taxis
	Daily
0	Weekly
0	Monthly
0	Less than monthly
6. V	What best describes the most likely purpose of your use of taxis?
0	Business
0	Domestic
0	School runs
0	Leisure
0	Other (please specify)
	Prior to starting this survey did you know that there are different types of ki' (hackney carriage and private hire) Yes
	No
	f you answered 'yes' to the above question which of the following difference re you aware of
	Hackney carriages can ply for hire and use taxi ranks which private hire cannot
	Private hires MUST be pre-booked
	Hackney carriages normally have a set tariff of maximum fares
9. ۱	Why do you chose to use taxis
	Convenience – taxis will pick up and drop off at points agreed with the customer
	Safety – knowledge that drivers undergo checks to ensure that they are fit and

pro	per, and vehicles are checked to ensure safety
	No other viable option
	Other (please specify)
10.	Do you find licensed vehicles easy to identify in your area?
	Yes
0	No
Co	mments:
	Previous Next



Institute of Licensing: Taxi reform - Stage 2 Consultation

Taxis - the need for reform

		5 / 22			23%	
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Reform of taxi law

6/22	27%
0 / 22	 2770

This page is designed to obtain an overview of your ideas for new taxi law

These questions provide some options for what any new licensing laws could include relating to vehicles, types of services needed to be licensed and driver criteria

13. What do you think should be included in new taxi law? (Tick all that apply)

In all cases, reference is to vehicles being used to carry passengers for hire

Ability to hire without pre-booking	Limits on numbers of hackney carriage
Auditing of enforcement outcomes	vehicles
Consistency and necessity of licence conditions	Limits on numbers of private hire vehicles
Consistency of enforcement activity	Out of district working
Distinction between hackney carriages and private hire vehicles	☐ Provision for disabled person access ☐ Qualifications for licence-holders
Licensing of 'courtesy' and other	Regulating the hours drivers can work
similar vehicles (not self-drive)	Regulation of licence fees and charges
Licensing of ambulances	Regulation of stretched limousines
Licensing of classic vehicles	Setting maximum fares
Licensing of executive vehicles	The system of driver licensing
Licensing of horse-drawn vehicles	The system of operator licensing
Licensing of novelty vehicles (eg decommissioned fire engines)	The system of vehicle licensing
Licensing of tuk-tuks and bicycle rickshaws	Use of bus lanes by taxis
Licensing of volunteer drivers and vehicles	
Licensing of wedding and funeral cars	
Other (please specify)	



Institute of Licensing: Taxi reform - Stage 2 Consultation

	7 / 22		32%	
he next few q w	uestions	seek your views in relation to sp	ecific a	reas of taxi
		r the current differences in the licensin ivate hire services should remain.	g and op	eration of
- Private Hires or be hailed	iages: can : MUST be e existing	ply for hire, use taxi ranks and be hail pre-booked through a licensed operator two-tier system of hackney carria	or and ma	
○ Yes				
O No				
O Don't kno	w		<u></u>	100000
15. Existing l	aw requir	the seating capacities of vehicles to be es most vehicles with less than 9 poelicensed as taxis. Should this cap	oassenge	ers (subject to
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O Increased				
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licensing requivolunteer drive	rements of ers for hos t her vehic	its to the law, there is significant uncersome services such as courtesy lifts obitals, child-minders and novelty vehicles be included within the taxi licer	ffered by les. nsing re	garages,
Yes	you will	be directed to the relevant part of	tne surv	rey
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Institute of Licensing: Taxi reform - Stage 2 Consultation

New vehicles within the licensing regime

8 / 22	36%
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Please tell us which additional vehicles should be licensed?

These are examples of vehicles and passenger-carrying services. It is possible that some should be licensed, but it is clear that others are currently exempt from licensing requirements.

All could be considered for inclusion in a new licensing regime.

17. Which additional vehicles used to carry passengers for hire should be licensed or be exempt from being licensed as taxis?

	Licensed	Exempt from licensing
After-school club transport	0	0
Bicycle rickshaws	0	0
Buses	0	0
Classic cars	0	0
Commercial child minders	0	0
Courtesy and other similar vehicles (not self-drive)	0	0
Emergency blue- light ambulances	0	0
Funeral cars	0	0
Horse-drawn vehicles	0	0
Hospital cars	0	0
Novelty vehicles (eg decommissioned fire engines)	0	0
Patient transfer service ambulances	0	0
Small public		

	Previous Next	
Other (please specify)		
Wedding cars	0	0
Volunteer drivers and vehicles	0	0
Tuk-tuks	0	0
passengers) Stretched Iimousines	0	0
service vehicles (up to 8	0	0



Institute of Licensing: Taxi reform - Stage 2 Consultation

Operator licensing

		9 / 22			41%]
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0	No					
0	Don't kno	W	And the second s			
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Operator licences can currently be issued for 22. How long should operator licences l	
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3 years	nggi aanun hilikan paga ah anaksal ku kuanisu aanun aanuksisisisisisisisisisisisisisisisisisisi
5 years	
indefinitely	
Other (please specify)	
This question seeks views on what criteria si 23. What criteria should apply to license note that some of these are covered by Protection Acts)	ed operators? Tick all that apply (Please
Nationally-set standards	Record-keeping of vehicles
Locally-set standards	Record-keeping of journeys
Complaints procedures	Disability access procedures
Insurance requirements	Criminality checks
Staff training	Health & safety (lone working and
☐ Industry standards of service	violence to staff procedures)
Published fares	Percentage of fleet required to be disabled accessible
Office accommodation standards	Staff charters that drivers sign up to
Record-keeping of drivers	Bankruptcy /finance checks
Other (please specify)	
	^
	<u> </u>
a driver and vehicle licence	eld an private hire operator's licence as well as censing requirements for operators who s)?
O Yes	
No (please go to question 26)	
O Don't know	
	at might be considered for sole trader private
hire operators 25. If yes what should be exempted? Ti	ck all that apply
All licensing requirements	Record-keeping of drivers

Nationally-set standards	Record-keeping of vehicles
Locally-set standards	Record-keeping of journeys
Complaints procedures	Disability access procedures
Insurance requirements	☐ Criminality checks
Staff training	☐ Health & safety (lone working and
☐ Industry standards of service	violence to staff procedures)
Published fares	Percentage of fleet required to be disabled accessible
Office accommodation standards	Staff charters that drivers sign up to
	Bankruptcy /finance checks
Other (please specify)	and the second s
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Institute of Licensing: Taxi reform - Stage 2 Consultation

Driver lie	ensing
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10 / 22		45%

The next questions are about the licensing of taxi drivers

in addition to their normal DVLA driving licent 28. Should taxi drivers require a specific	
Yes	
· O No	
O Don't know	
Private hire drivers are currently only licensed operator who in turn is licensed by the same	
Hackney carriage drivers must drive a hackney council. That vehicle can use a rank or respondent can undertake pre-booked work anywher	nd to hailings within the area of that council,
A new law could allow drivers to work for any ranks in any area, as long as they hold a licer 29. Should drivers be issued with a licentengland and Wales?	nce.
Yes	
O No	
30. If you answered 'yes', should this be driver	the licensing authority in which the
permanently resides	
o intends to work	
Other (please specify)	
Local councils (and the Public Carriage Office licensing taxi drivers. 31. Who should be the licensing authorit	
New national regulator	Local authorities
O Driver and Vehicle Licensing Agency (DVLA)	Traffic Commissioners

Department for Transport	
of the local council which issues their lic	f local criteria and rules, depending on the policies ences ou like to see in a driver licensing system?
Authority to work in the UK	Local knowledge testing
Clearer enforcement provisions	Maximum ages for licensing
Criminal record checks	☐ Medical checks
☐ Disability Awareness/assistance to disabled training	Minimum ages for licensing Nationally recognised identification
Dress code	badge
Driving assessment	On-going training
Driving Standards Agency testing	Regulation of drivers' hours
DVLA issued or DVLA registered drilicence	ving Vocational qualifications
Other (please specify)	(
includes contact with children and vulne	Criminal Records Bureau checks as their work erable adults ureau checks should be made for drivers?
Basic	
Standard	
○ Enhanced	1
non-UK nationals the checks can only go country. Where taxi driver applicants ha CRB check is normally unable to verify a	ot resided in the country for the last 5 years
Certificate of good conduct from th	eir embassy/high consultate
Statutory declaration sworn in fron	t of a Commissioner for Oaths
Other (please state)	, i
	ct to either a "Group 1" medical check or a stricter y and bus/coach drivers. The criteria is set down

by the Driver and Vehicle Licensing Agency (DVLA).

The Group 2 test has higher standards for certain medical conditions and restricts or prevents taxi driving where those conditions exist.

The Group 1 test allows drivers to continue to be licensed in spite of the presence of these medical conditions, such as diabetes 35. What level of medical checks should drivers have to meet? Driver and Vehicle Licensing Agency Group 1 occupational standards Driver and Vehicle Licensing Agency Group 2 occupational standards Locally set standards Nationally set standards Taxi drivers' hours are not currently regulated and they are not subject to the Working Time regulations. Drivers are responsible for their own safety and - like any road user are under a duty not to drive whilst too tired 36. How should driver's hours be regulated? No regulation as now Subject to the Working Time Regulations Locally set standards Nationally set standards Taxi driver licences cannot currently be granted to any person under the age of 18, as they must have first held a 'normal' driving licence for at least 12 months. There is no upper age limit 37. Should there be limits on driver's ages and experience? Yes No Maximum age for \bigcirc drivers Minimum age for 0 drivers Minimum driving ()experience Driver's licences can currently be issued for any period of up to three years 38. How long should driver's licences last for? 1 year 3 years 5 years Indefinitely Other (please specify)

Previous

Next



Institute of Licensing: Taxi reform - Stage 2 Consultation

Vehicle	licensing
---------	-----------

		
11 / 22		50%

This page is about vehicle licensing

licen inter	ice. The local authority must be satisfied that the vehicle is safe and suitable for the inded use before granting a licence.
39.	Should taxis require a specific taxi vehicle licence? Yes
0	No
	Don't know
and	cles are currently licensed by the local authority in whose area they are being used, are subject to local criteria, policies, standards and licence conditions Who should be the licensing authority?
	A new national regulator
0	Driver and Vehicle Licensing Agency (DVLA)
0	Department for Transport
0	Local authorities
0	Traffic Commissioners
0	Other (please specify)
time	cle licences at present may only be granted for up a maximum of 12 months at a How long should vehicle licences last for?
0	1 year
	3 years
0	5 years
0	Indefintely
Oth	er (please specify)

The criteria for licensed taxis varies depending on where the vehicle is licensed.

Hackney carriages can ply for hire in the street or from ranks, whereas private hire

vehicles MUST be pre-booked through an operator licensed by the same council as the vehicle.

42. What essential features would you lithat apply)	ike to see for vehicle licensing? (Tick all	
All taxis to ply for hire	☐ Mileage limits	
All taxis to use ranks	☐ Vehicle specifications (eg size, engine	
Only identified vehicles to use ranks	capacity, number of doors etc)	
Only disabled access taxis to use ranks	☐ Minimum ages for taxis	
Taxis to only work through a licensed	All taxis to have meters	
operator	☐ All vehicles to be regularly tested	
☐ Maximum ages for taxis	Assistance at ranks for disabled access	
Other (please specify)	ள் இந்த புதியுள்ளது. இருவியின் இருவியின் இருவியின் இருவியின் இருவியின் இருவியின் இருவியின் இருவியின் இருவியின் இருவியின் இருவியின்	
Taxi testing frequencies depend on where ve on age, some on mileage. Current law preve three times a year 43. How often should taxis be tested?	thicles are licensed. Some councils base tests nts councils from testing taxis more than	
Monthly		
3 monthly		
4 monthly		
6 monthly	ngunna (Migaling Balangan - Agus - Ag	
Annually		
Dependant on vehicle age	AND	
O Dependant on vehicle mileage		
Some taxis are tested to the normal MOT sta Compliance" standard which includes appear the policies of the council that licences them 44. What level should taxis be tested to	ance, signage, taximeters etc, depending on	
Current MOT standard		
MOT and additional national requirement	its (eg relating to condition and appearance)	
MOT and any local requirements (eg relating to condition and appearance)		
Other (please specify)		
The criteria for vehicle standards such as agreedepends on which council issues the licence 45. What criteria should apply to license	ed taxis? Tick all that apply	
Local recognised identification plate	Fare tariff	

National recognised identification plate	☐ Identification signs on the vehicle
Local minimum standards for	☐ Complaints procedure
suitability	Colours
National minimum standards for suitability	Public liability insurance
Local vehicle testing regime	Adverts on vehicles
National vehicle testing regime	In-car display of insurances and licences
Local accessibility standards	Specific colours and markings
National accessibility standards	Specialist equipment eg wheelchair
Local safety standards (eg fire	ramps etc
extinguisher, first aid kit)	☐ In-car CCTV
National safety standards (eg fire extinguisher, first aid kit)	Other
☐ Roof signs	
licence plates or other signage	from the legal requirement to display vehicle ecific licensing requirements for certain
○ Yes	,
○ No	
O Don't know	
Previous	Next



Institute of Licensing: Taxi reform - Stage 2 Consultation

Vehicle licence exemptions

12 / 22	55%

This is about possible exemptions from a new vehicle licensing regime

Councils are able to allow exemptions from certain licence conditions on application. This is normaly done in the case of limousines, executive transfer or chauffeur driven vehicles etc., where for example the vehicle could be exempt from the requirement to display vehicle licence plates and signage.

There are currently variations between what councils will allow or require for vehicle carrying out this type of work

47. Which of these criteria do you think should be mandatory for all licensed vehicles with no exceptions or exemptions?

Local recognised identification plate	Fare tariff
National recognised identification plate	☐ Identification signs on the vehicle
Local minimum standards for	Complaints procedure
suitability	Colours
National minimum standards for suitability	Public liability insurance
Local vehicle testing regime	Adverts on vehicles
National vehicle testing regime	☐ In-car display of insurances and licences
Local accessibility standards	Specific colours and markings
National accessibility standards	Specialist equipment eg wheelchair
Local safety standards (eg fire	ramps etc
extinguisher, first aid kit)	☐ In-car CCTV
National safety standards (eg fire extinguisher, first aid kit)	Other
Roof signs	

Where vehicles have been granted an exemption from displaying identification plates and signage etc. (for example because of the executive/chaffeur-type work they perform), they may also be subject to restrictions on their activities due to the fact that the general public would not be able to easily identify them as licensed vehicles.

48. If exemptions from some or all licensing requirements are granted, should vehicles be restricted in relation to ...?

Yes

No

tute of Licensing: Taxi ref	orm - Stage 2 Consultation Su	Page 2
Plying for hire	0	\circ
Using ranks	0	0
Using bus lanes	0	0
Being hailed (flagged down) in the street	0	0
written notice to the veh		rove any exemptions and issue a semptions be subject to
		nsing authority issues written
Yes	any any any and a mandrage as animan at a verticement of the contract of the c	

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Oon't know

Next

Page 2 of 2



Institute of Licensing: Taxi reform - Stage 2 Consultation

Fares

13 / 22	59%
•	

This section is about taxi fares

Hackney carriage fares can be controlled with maximum fares applied across the local council's area (although not all councils choose to set fares).

Councils cannot regulate private hire vehicle fares, which are set by the individual private hire operator

50. 9	Should taxi fares be set?		_
	Yes		!
0	No		
0	Don't know		
	ently fares are set locally within the counships should fares be set locally or national		2
	Locally	a comment of the comm	
0	Nationally		
0	Don't know		
0	If set locally, should there be a natio Yes No		·
0	No		
\circ	Don't know		
inter repre	re maximum fares are set, councils can devals or when asked to do so by members esentatives Who should set fares?		
\circ	Drivers	C Licensing authority	
0	Operators	○ Government	
0	Other (please specify)		
· · ·			

Where council sets a fare tariff, the driver has discretion to agree a fare lower than that shown on the meter.

Pre-agreed fares are acceptable but the meter should still be used to ensure that the agreed fare is within the maximum permitted for the journey.

54. Should discounts be available (at the discretion of the driver/vehicle owner/operator)?

0	Yes
0	No
0	Don't know
priv	t councils require hackney carriages to display the fare tariff in the vehicle, whilst ate hire vehicles generally do not Should fare tariffs be displayed in all taxis?
10	Yes
	No
0	Don't know
	Previous Next



Institute of Licensing: Taxi reform - Stage 2 Consultation

Taxi meters

14 / 22	64%
-	

This section is about taxi meters

Many councils require hackney carriages to be fitted with taximeters so passengers can see the maximum fare for each journey. Where meters are fitted, they must be calibrated and tested for accuracy.

There is no legal requirement to have a taximeter in a private hire vehicle although councils must test them (for accuracy) if they have been fitted voluntarily.

56.	Should meters be compulsory in all taxis?
0	Yes
0	No
0	Don't know
Cur	rently some meters are capable of producing a printed receipt. Consequently, it is
dow	on to the discretionary record keeping of the indvidual driver / vehicle owner to keep

records for future reference. The question below should be answered as if meters are capable of producing printed

(till) receipts. 57. What information should meters display, record or print on a receipt? Tick all that apply

	Record	Display	Print on a receipt
Applicable tariff			
Date			
Driver identification			
Duration of journey (time)			
Extra charges (soiling charges, waiting charges etc.)			
Journey length (mileage)			
Maximum fare			
Time			

Vehicle identification			
	be used on every j	ourney?	
○ Yes			and the second s
O No	Na charles na mar ar uma ne (de condita con nila mai colore per control con control ment	nd Amerika di Baran sakan selektikan sebenah di semangah di kebuar 1992 di sebelah di di berbagi bidan selekti	Makanang Aja -Bajang Papalan M andananan ga 1800 k a berandakan daram adak 1846 da 1800 kan ba
O Don't know			Allian garagement and a superior and
	Previo	us Next	



Institute of Licensing: Taxi reform - Stage 2 Consultation

Bus lanes and taxi ranks

		15 / 22		68%	
issu carr	ing taxi lice iages to do	ences) allow so, whilst	ighway authority, which may be differ taxis to use bus lanes. Some council others do not allow any taxis to use the to use bus-lanes nationally?	s only all	
	Yes				
0	No	gamma and the state of the stat	nkassapakin ik wati takun ipi, wengunjarik se rejak dalahiri. Spinirining iraw 💮 44-44, akid dalampirini iraw 1-14-2-1	AND CONTRACTOR OF THE PROPERTY AND	- magazinengelegen untrigonomien dem interestrien ein ein ein ein ein ein ein ein ein
0	Don't know	w			
60.	Should th	ere be tax	i ranks?		
0	Yes				
0	No				
0	Don't know	w			
61.	How shou	ild the cos	t of creating and maintaining rank	s be fui	nded?
0	Governme	ent grants			
0	Highways	authority			
. 0	Land own	ers	and the second s		
0	Licence fe	е			
	Local auth	nority			
	Local busi	nesses			
\circ	Permits to	use rank (paid for)		
priv	ate land su	ich as on ra	rovided and funded by local authorities liway station forecourts or retail and liks be created? (Tick all that apply	eisure pa	
	Bus-stops	becoming t	axi ranks at night		
	By licensing	ng authoriti	es only		
	By local co	ouncil			
	Formal ap	plication sir	nilar to planning permissions		
	Statutory	duty for hig	hways authority to create		
	Statutory	duty for lice	ensing authority to create	when vide militaring a	

	Other (please specify)
63.	Should the creation of ranks be tied in with local highway policy?
	Yes
0	No
0	Don't know
Enomerous a a	Previous Next



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Standard setting

16 / 22	 73%

This section is about how standards may be set for taxi drivers, operators and vehicles

Presently, local councils set the standards for private hire operators working within their
area 64. Who should set standards for operators?
O Department for Transport
O DVLA
O Industry bodies
O Local authorities
O New national regulator
Other
Traffic Commissioners
Local councils currently set the standards for licensed drivers within their area. This is done by licence conditions for private hire drivers, and byelaws for hackney carriage drivers. 65. Who should set standards for drivers?
O Department for Transport
O DVLA
O Industry bodies
C Local authorities
O New national regulator
Other
Traffic Commissioners
Local councils set the standards for the vehicles they licence in their areas, although some rely solely on the national MOT standard 66. Who should set standards for vehicles?
O Department for Transport
O DVLA

Industry bodies							
C Local authorities	gay a dan all deglade et y y y y de en entre haben y y en						
New national regul	lator						
Other							
Traffic Commission	ners						
67. How should stand that apply)		d and maintained for the	ne industry? (Tick all				
chat apply)	Drivers	Operators	Vehicles				
Civil/administrative							
sanctions (eg improvement notices)							
Criminal sanctions							
Legally- enforceable code of practice (eg similar to Highway Code)							
Licence conditions							
Local standards							
Locally-set byelaws							
National standards							
Other							
Other (please specify)		- <u> </u>					
68. If additional loca them?	l standards shoul	d be set, who should e	establish and enforce				
O Department for Tr	ansport	The second state of account A in Management 1 and account and additional discount					
O DVLA							
Industry bodies							
Local authorities	Cocal authorities						
New national regu	lator						
Other		na verregisad april allimer makeri (projekto). Al herman e e maren e ana merce se antice estrema e e el deser					
Traffic Commission	ners	alamak eranjaka eranjaka alam ekonomi pranjangsanak rapa-ak-eno 🤏 eranjaka. Sebilik	asan mangka nga kangangan di mga nga nga nga nga nga nga nga nga nga n				
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		لتنسا لسا					



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Exit this survey

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_		•	~		•	c		u	u	J

	17 / 22			77%				
	17 / 11			77 70				
	re set by the	local council undertak	ing the licensin	ig of driv	ers, vehicles and			
•	operators 69. Who should set and collect licence fees? (Tick all that apply)							
		Set fees	•	Collec	t fees			
Central				pos _t tud]			
government		Name of the Control o		•				
Independent body]			
Licensing				r-	7			
authority								
Councils can seemforcing the I		e fees with a view to re	ecovering the c	ost of ad	ministering and			
_	_	fees cover? (Tick al	I that apply)					
Administr	ation of licer	nsing regime			-			
Criminal r	ecord check	S	A THE RESIDENCE OF THE PARTY OF		- Marija (Marin - 14) i - Lini (Marin - 14) i Marin - 14 i Marin - 14			
☐ Driver tes	sting							
Enforcem	ent		ng an 400 min 1900 (II). In a Changairte ghida at a <u>an ann ann an</u>	हु कुल पुरस्क <u>कर हु रहत कर किया है । जा कि</u> या हु कि	na. Alexandria de de calendar de la			
Enforcem	ent of licens	ing regime	, in a management of the control of	remedian - aprelio	a announce of the second			
Full cost r	ecovery of r	elevant licence	a dida markaniji udaradik-sili kirilitik di akaza — ar di-dilitika ar k					
Legal and	all other ad	ministrative costs incu	rred by licensir	ng author	ity			
Provision	of ranks				e-appropriate participation of the state of			
☐ Taxi rank	marshals							
Training/o	qualifications	>	legges, till av skrivetilske skrivet og skrivet og skrivet var freder skrivet og skrivet og skrivet og skrivet		austra kansann sa muunista kuuda jähäläisiä ka jäytyö vallistiin kiin – 4 koossa muus			
☐ Vehicle te	sting				****			
Other (ple	ease specify)						
doctors for me application fee 71. Should a	edical examine and require policants h	an applicant's fees and nations, CRB checks et the applicant to pay cave the option to particuded in the licenc	c. Others only other fees direc y separately f	take the tly	licence			
Yes		The second secon			and the same of th			

\bigcirc	No
0	Don't know
	Previous Next



Institute of Licensing: Taxi reform - Stage 2 Consultation

Demai		

18 / 22	82%

This section is about the demand for taxi services

Some councils impose a limit on the number of hackney carriage vehicle licences that they will issue. Others do not have any limit.

Councils have NO power to limit the number of private hire vehicles that they will licence.

72. Should the licensing authority have any power to limit the number of licences for ...?

	Yes	No	Don't know		
Drivers	\circ	0	0		
Operators	0	0	0		
Vehicles	0	0	0		
73. Should the go that apply)	vernment support th	ne development of to	axi services? (tick all		
By grant			and an annual section of the section		
By subsidy					
None					
Other funding means					
☐ Subsidised trai	ning				
Through tax re	gime	All the second s			
VAT exemption	VAT exemptions on all taxis VAT exemptions on taxis accessible to disabled people				
☐ VAT exemption					
Other (please	specify)				
	Previou	IS Next			



Institute of Licensing: Taxi reform - Stage 2 Consultation **Appeals**

19 / 22	86%

These questions are about appeals from the licensing authority's decisions

Appeals against licensing decisions are made to the local magistrates' courts, with a further right of appeal to the Crown Court apart from a refusal to grant a hackney carriage vehicle licence which is made directly to the Crown Court.

74.	Where should appeals against licensing decisions be made?
	Magistrates' court and Crown Court
10	Magistrates' court only
0	Specialist licensing bench within the magistrates court
	Specialist taxi licensing tribunal
0	Other (please specify)
••	
	Previous Next



Institute of Licensing: Taxi reform - Stage 2 Consultation

Enforcement and compliance

20 / 22 919

These questions are about the enforcement and compliance of any new legislation

Councils have a range of sanctions to deal with breaches of standards, conditions or byelaws. These include warnings, licence suspensions or revocation, or refusing to renew a licence. Councils can issue formal cautions or prosecute in the courts. Some councils also use internal penalty points schemes as part of a disciplinary process 75. What powers and sanctions should be in place for ensuring enforcement and compliance with the law? (Tick all that apply) Administrative/civil sanctions (eg improvement notices) Criminal sanctions Fixed penalty notices Licence penalty points Licence revocations Licence suspensions Remedial training Other (please specify) Taxi legislation is primarily enforced by local authorities. The police may also enforce these laws, and the Vehicle and Operator Services Agency (VOSA) has a role to play. 76. Who should be responsible for enforcing taxi legislation? (Tick all that apply) Licensing authority officers Local authorities Local authority parking attendants Local authority parking attendants on ranks only Police community support officers Police officers Taxi Marshals Vehicle and Operator Services Agency



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Amen	ding	the	existing	law

21 / 22	95%

77. Please answer this questions if you think the existing system requires only minor changes.

All references are to vehicles carrying passengers for hire or as part of a

What needs changing? (Tick all that apply)

business arrangement.			
Ability to hire without pre-booking	Limits on numbers of hackney carriage		
Abolish distinction between hackney carriages and private hire vehicles	Limits on numbers of private hire		
Auditing of enforcement outcomes	vehicles		
Consistency and necessity of licence conditions	Out of district working Provision for disabled person access		
Consistency of enforcement activity	Qualifications for licence-holders		
Licensing of 'courtesy' and other	Regulating the hours drivers can work		
similar vehicles	Regulation of licence fees and charges		
Licensing of ambulances	Regulation of stretched limousines Setting maximum fares		
Licensing of classic vehicles			
Licensing of executive vehicles	The system of driver licensing		
Licensing of horse-drawn vehicles	The system of operator licensing		
Licensing of novelty vehicles (eg decommissioned fire engines)	The system of vehicle licensing		
Licensing of tuk-tuks and bicycle rickshaws	Use of bus lanes by taxis		
Licensing of volunteer drivers and vehicles			
Licensing of wedding and funeral cars	7		

Other (please specify)



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Conclusion

ſ	22 / 22			100%	
L	22 / 22			100%	
Please provide submissions.	your contact	details. This is ne	cessary to ensure	e the integ	rity of the
		for any other pur	•	made ava	ilable?
Yes				AND STATE OF THE S	
O No					
79. Contact D	etails	m. v av m ar		V → 11	
Name:					
Email Addres (Mandatory):	_				
Phone	10 h.f. 10 - 10 - 10 - 10 - 10 - 10 - 10 - 10				
Number:	er taking the t	ima ta completa (this survoy		
many thanks to	ir taking the t	ime to complete	illis survey.		
to preparing a	report to sum	n 31st March 201 Imarise the work ult of this survey.			
The results will in due course.	be published	through the Inst	itute's website: w	vww.institu	teoflicensing.org
Regards Institute of Lice	ensing				
		Previous	Finished!		