

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

23RD FEBRUARY 2009

TAXI LICENSING HANDBOOK

Responsible Portfolio Holder	Cllr. Peter Whittaker
Responsible Head of Service	David Hammond

1. SUMMARY

- 1.1 This report seeks approval to adopt revised policy and licence conditions in respect of all taxi licensing matters, which will be incorporated into the Council's Taxi Handbook.

2. RECOMMENDATION

- 2.1 That Members approve
- (a) the policy elements and licence conditions relating to taxi licensing, as set out in the attached Taxi Handbook; and
 - (b) the proposed transition periods for the policy changes to take effect.

3. BACKGROUND

- 3.1 Members will be aware of current guidance for applicants, drivers and owners, which is given out to anyone enquiring about becoming a licensed driver. The purpose of the guidance sets out to applicants and existing licence holders the Council's policies, procedures for applying for each type of licence and the Council's standard licence conditions relating to all aspects of taxi licensing. A copy of the proposed Handbook is attached at Appendix 'A'.
- 3.2 Members will be aware that we have been working with other licensing authorities across Herefordshire and Worcestershire in an attempt to bring together guidance, licence conditions and policies relating to all aspects of taxi licensing, into one handbook, which would be used throughout the County.
- 3.3 Following a period of consultation with the trade and further discussions with County colleagues, it has now become apparent that it is not feasible, at this present time, to bring together all the different policies, conditions and

working practices into one document. There are a number of reasons for this, which include:

- Some County colleagues have received significant objections from their trade with regard to the introduction of new vehicle specifications and driver requirements;
- It has also come to light that one authority had previously entered into a three year agreement with their taxi trade that their policy and/or conditions would not be altered, which does not expire until 2010.
- Furthermore, there are a number of on-going legal challenges on existing policy and licence conditions for one local authority. In view of this they are unable to make any changes at present.

3.4 However, despite this, we feel that there is a need to continue with the revision of our policy and licence conditions. The proposed handbook will provide more clarity on our current administrative procedures as well as introducing further measures to ensure that the public are safe and have received a good level of customer service whilst using a taxi.

3.5 During the consultation exercise, the comments received from the taxi trade were minimal.

3.6 In view of some of the proposed policy changes for existing licensed drivers, it is suggested that we look at introducing transition periods for the more significant changes so as to lessen the impact on existing businesses, particularly in the current economic climate. These are set out at Appendix 'B'.

3.7 If and when our County colleagues are in a position to revisit the idea of having a County-wide document, a further report will be submitted to Members. Until such time we will continue to work closer together and learn from our colleagues, in terms of best practice.

4. FINANCIAL IMPLICATIONS

4.1 One of the changes we are looking to impose, is the introduction of age limits on vehicles that we will licence, as a consequence it is felt that there will not be the need to test vehicles as often, in some cases, three times a year. This will have a small impact on the income generated by the Council's Street Scene and Community Services through the cost of an MOT vehicle test undertaken by the Council's Depot. This will amount to approximately £6000. However, the expenses incurred by the Licensing Section will reduce by a similar amount. The cost of an MOT test at the Depot is currently £53.10. Maximum fee levels for MOT's are prescribed by the Department of Transport.

4.2 Should members agree to reduce the frequency of vehicle testing; this will allow our resources to be channelled to develop enforcement initiatives, such as multi agency inspections, and other areas of best practice.

5. LEGAL IMPLICATIONS

- 5.1 The Council's Legal, Equalities and Democratic Services Department have been consulted on the proposed Handbook and their comments have been incorporated.

6. COUNCIL OBJECTIVES

- 6.1 These guidelines contribute to the Council's objectives "Sense of community and well being" and "Improvement".

7. RISK MANAGEMENT

- 7.1 The main risk associated with the detail included in this report is:

- To ensure that the Council has effective policies in place to assist in decision-making and to maintain the consistency of any decisions made.

- 7.2 This risk is being managed as follows:

Risk Register: Planning and Environment Services

Key Objective Ref No. 7

Key Objective: Effective, efficient and legally compliant Licensing Service

8. CUSTOMER IMPLICATIONS

- 8.1 All existing drivers will be notified in writing of the proposed changes to Council Policy.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

- 9.1 The introduction of disability awareness training will contribute towards achieving level 3 of the Local Government Equality Standard.

10. VALUE FOR MONEY IMPLICATIONS

- 10.1 There are no value for money implications.

11. OTHER IMPLICATIONS

Procurement Issues
None
Personnel Implications
None
Governance/Performance Management
None
Community Safety including Section 17 of Crime and Disorder Act 1998

None
Policy It is intended that the Policy and licence conditions outlined in the proposed taxi handbook will replace all existing policy and licence conditions relating to applicants, drivers, vehicles and operators.
Environmental None

12. **OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Chief Executive	No
Executive Director (Partnerships and Projects)	No
Executive Director (Services)	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	Yes
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. **WARDS AFFECTED**

All wards are affected.

14. **APPENDICES**

Appendix A Draft Taxi Handbook

Appendix B Summary of main policy changes and suggested transition periods.

15. **BACKGROUND PAPERS**

Model Standard for Taxi and Private Hire Licensing 2007

Existing policy and conditions relating to taxi licensing put forward from the other districts in the County and Herefordshire.

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