

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 7

meeting date: 15 JUNE 2010
 title: BEST PRACTICE GUIDANCE – DEPARTMENT OF TRANSPORT
 submitted by: DIANE RICE – LEGAL SERVICES MANAGER
 principal author: DIANE RICE – LEGAL SERVICES MANAGER

1 BACKGROUND AND PURPOSE

1.1 The Department for Transport first issued best practice guidance for taxi and private hire licenses in October 2006. Revised guidance was published in February 2010. The bulk of the guidance is left unaltered and the Department for Transport have confirmed “the key premise remains the same – it is for individual licensing authorities to reach their own decisions, both on overall policies and on individual licensing matters, in the light of the their own views of the relevant considerations. This guidance is intended to assist licensing authorities but it is only guidance and decisions on any matters remain a matter for the authority concerned”.

1.2 Relevance to the Council's ambitions and priorities:

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| <ul style="list-style-type: none"> • Council Ambitions - } • Community Objectives - } • Corporate Priorities - } • Other Considerations - } | <p>The Council seeks to be a well managed Council. Ensuring its procedures take into account best practice contributes to achieving this.</p> |
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2 ISSUES

2.1 A copy of the guidance is attached at Appendix 1.

2.2 In general terms this Council adopts the approach recommended in the best practice guidance.

2.3 Set out below and by reference to the paragraph numbers contained within the guidance, are areas where current practice differs.

- Paragraph 24 this relates to disability discrimination and awareness – the authority does not currently provide additional training on such matters, relying on the components in the Steering to Success course.
- Paragraph 2 – Number of testing stations. The Council has received requests in the past to secure a second testing station. There was a proposal made to use the garage at Sabden, but this site has now been developed for housing.

However research was carried out with Bee Mill Garage, the Council's current providers, and the information provided confirmed that delays for tests were only very short.

Ensuring that all vehicles are tested at the same station ensures consistency and fairness in terms of the standards applied to vehicle licence holders.

- Paragraph 34 – Security of drivers. The practice guidance advises that Councils should be sympathetic to schemes brought forward for installation of equipment etc in vehicles. To date there have been no requests to consider installation of security equipment in vehicles, this would be referred to Committee if such a scheme arose. The Council has also been asked to confirm whether or not it would be able to support a scheme to improve the safety of drivers. Unfortunately due to the current financial constraints no funding is available to take forward a scheme of this nature.
- Paragraph 38 – Vehicle identification. The guidance stresses the importance of ensuring that vehicles are clearly identified, to assist customers. The distinction between private hire and hackney vehicles causes confusion, and the Council's Enforcement Officer wishes the Annual Public Meeting to consider improved signage on vehicles to assist members of the public to identify the type of vehicles and the specific vehicles used to provide transport.
- Paragraph 45 – Quantity restrictions. Authorities which operate quantity restrictions are required to keep the quantity restrictions under review. This Council has always restricted the number of hackney vehicles it licences but has kept under review the appropriate number, and Committee will recall the increasing the number of hackney carriages relatively recently to improve access for disabled people.

The current number of rank spaces in the town, in the view of hackney carriage drivers and the local police is insufficient. Steps are therefore in progress to try and secure additional rank spaces. Committee may wish to reconsider the issue of quantity restrictions once the issue of providing more spaces is resolved.

Annex A of the guidance sets out the type of questions which Committee need to consider if they wish to retain the quantity restrictions and reiterates that Committee would need to base the decision to restrict the number of hackney carriages and the level at which the restriction is set, on a comprehensive survey.

- Paragraph 55 and 81 – The duration of licences. The best practice guidance suggests that licences should be offered for both drivers and operators for a 3 year period.

The Council currently operates a 1 year licence scheme, and has not received any request to amend this from licence holders.

- Paragraph 66 – Immigration checks. The Council does not carry out separate immigration checks however the CRB (Criminal Records Bureau) process requires production of a passport or similar documents and it should be

evident from inspection of these documents if an applicant required special consideration.

- Paragraphs 77 and 78 – Driving proficiency test and language proficiency test. The Council has considered but rejected the option of having a specific driving proficiency test but relies instead on the driver being in possession of a full current driving licence. Similarly no separate test is carried out in relation to language proficiency but this is a partially tested by use of the Steering to Success course.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources - } Whilst the good practice guidance is not compulsory it is a useful measure for the Council to use to consider how well its systems operate. Committee should give consideration to the matters set out above in particular in relation to restriction of the number of hackney carriages and the requirement for a survey.
- Technical, Environmental and Legal - }
- Political - }
- Reputation - }

5 RECOMMENDED THAT COMMITTEE

5.1 Consider the best practice guidance.

5.2 Instruct the Legal Services Manager to bring a separate report to Committee in relation to any matters raised at paragraph 2.3 of this report, where Committee consider current practice requires amendment.

LEGAL SERVICES MANAGER

For further information please ask for Diane Rice, extension 4418.

(15061004)