

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Proposal for Taxi and Private Hire Policy and Conditions 2016

DIRECTORATE: Chief Executives

MEETING: Licensing and Regulatory Committee

Date to be considered: 9th February 2016

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

1.1 To consider the proposal for Taxi and Private Hire Policy Conditions 2016.

2. RECOMMENDATION(S):

2.1 Members approve the new policy and conditions for hackney carriage / private hire licensees, attached to this report as Appendix A.

2.2 The approval of the Taxi and Private Hire Policy and Conditions 2016 will be subject to consultation with the taxi trade. Should no response/objections be received, the policy to come into force on 1st April 2016.

2.3 If a response/objection is received, the matter to be deferred to the Licensing and Regulatory Committee on 22nd March 2016, for future discussion and decision.

3. KEY ISSUES

3.1 A number of legal changes, High Court decisions, introduction of new licensing regimes and best practice procedures has resulted in various changes being attached to the existing policy over the last few years, e.g. Limousines licensing, CCTV in vehicles, revocation procedures etc .

3.2 The licensing regime for taxi and private hire is constantly evolving. In order to avoid confusion with the trade as to how they should conduct themselves whilst they hold a licence with this Authority, a new Policy is proposed to bring all changes into one document, which is attached as Appendix A.

3.3 The policy has been amended to provide clarity to the trade and wording has been altered to provide a better understanding of previously approved policies.

3.4 Further changes are also proposed within the Policy to improve the service that is offered and/or to protect children and vulnerable adults along with information on disability access. These changes are highlighted in red within the proposed policy.

3.5 Some of the major changes within this policy and the reasons for those changes are as follows:

Knowledge Test

It is recommended that the knowledge test be carried out for drivers wishing to apply for a Hackney Carriage/Private Hire Drivers with this Authority. This will be provided in partnership with Torfaen Training. This will ensure greater consistency and will ensure the same level of competency across a wider region.

This test is also being used by the Authorities of Torfaen, Blaenau Gwent and Caerphilly. Renewal of this licence will not require this test unless the driver failed to renew the licence on time and allowed the licence to lapse, which shows a clear disregard of the conditions of this licence. (Please refer to page 37 of the Policy).

Safeguarding Children and Vulnerable Persons Training

It is recommended that all drivers and operators (including existing licence holders) carry out Safeguarding Children and Vulnerable Person Training. Following the Louise Casey report whereby the ruling asked whether Rotherham Council took sufficient steps to ensure public safety and avoid child exploitation, it is essential that this Council do not receive a similar criticism. This policy recommends not only drivers receive this training as they usually carry passengers unaccompanied, but also operators who will be expected to take their duties with regard to safer recruitment of drivers and the safeguarding of the public seriously. The training will be carried out in partnership with Torfaen Training who have adapted training specifically for the taxi trade and is currently being used by the Authorities of Torfaen and Blaenau Gwent. It is proposed that existing licence holders have 9 months to complete the training from 1st April 2016. All drivers and operators are to conduct refresher training prior to renewal of their licence, in order to provide any legal or policy changes in safeguarding. (Please refer to page 37 and 88 of the Policy).

Age of Vehicles

It is recommended that an age policy of vehicles be introduced in order to ensure the standard of the vehicles are of a high standard. The recommendation tallies with that currently being used by Torfaen Council, with Blaenau Gwent and Newport Council also looking to introduce an age policy guideline. The policy has been amended so as to ensure that passengers have a comfortable and pleasant journey in a vehicle that unless an age restriction of a vehicle may be tired or worn and of a dirty interior along with the vehicle appearance of an aged vehicle with rusted bodywork but may still pass the current test of a vehicle. The policy recognises that older vehicles may be licensed in special circumstances e.g. if they are specialist, stretched limousines and historic vehicles. The recommendation of the policy is to not licence new vehicles if they are over 5 years, and vehicles over 10 years will not be relicensed. To assist those currently licensed it is further proposed that those current licence holders with vehicles aged over 8 years from date of registration may continue their licence for 2 years with effect from 1st April 2016. (Please refer to page 9 of the Policy)

Disability Awareness

The Policy recommends that driver of wheelchair accessible vehicles attend a recognised course to ensure that they comply with health and safety requirements for handling and securing wheelchairs. The policy requires all operators and drivers to be compliant with the provisions of the Equalities Act 2010 in order to prevent discriminating on the grounds of disability, including the requirement to carry assistance dogs of disabled people. (Please refer to page 38 of the Policy). The policy also strengthens how a driver should conduct themselves should they be approached or hailed by a passenger requiring to be carried whilst seated in a wheelchair (Please refer to page 55 of the Policy).

- 3.6 In the interest of fairness, consultation on the revised policy will be conducted with the Hackney Carriage and Private Hire Trade, which will commence from Tuesday, 9th February 2016 and will end on Friday, 18th March 2016.

4. REASONS

- 4.1 To provide a revised policy incorporating changes to improve particular aspects, including safeguarding and disability provisions.
- 4.2 Any comments received by the trade will be considered and incorporated, where possible into the revised policy.

5. RESOURCE IMPLICATIONS

- 5.1 All Licensing fees and charges are recovered on a cost recovery basis.

6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS

- 6.1 The 'Future Generations' template is attached as Appendix B. The updated policy will enhance our corporate safeguarding role, together with improving the passenger experience.

7. CONSULTEES:

Consultation with the trade commences on 9th February 2016.

8. BACKGROUND PAPERS:

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976.

Current Policy and Conditions for Hackney Carriages and Private Hire Licensing of Torfaen County Borough Council, Newport City Council, Blaenau Gwent County Borough Council, Caerphilly County Borough Council and Scarborough Borough Council.

9. AUTHOR:

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