

## Summary of Licensing Committee Recommendations on the Hackney Carriage and Private Hire Policy Report

The proposed changes considered by Licensing Committee on 19<sup>th</sup> November and the Committee's recommendations to Council are as follows:

1. To change the Policy to require the Certificate of Compliance to be conducted on an annual basis and not six monthly. **Committee recommendation: no change to the existing Policy.**
2. For all vehicle inspections, including those currently undertaken by Licensing Officers, to be done by the Appointed Testing Stations. **Committee recommendation: no change to the existing Policy.**
3. To increase the age limitations in respect of licensed vehicles to ten years for Private Hire and fifteen years for Hackney Carriage vehicles. **Committee recommendation: no change to the existing Policy.**
4. To amend the Policy to enable applicants to visit any GP's practice and not just the applicant's own or another at that surgery. **Committee recommendation: no change to the existing Policy.**
5. That door panels and plates on licensed vehicles are optional and not a compulsory requirement with the exception of Plate Exemption cases. **Committee recommendation: no change to the existing Policy.**
6. In the event that a hire vehicle is used, the licensed plate is granted on a yearly basis and not individually each time a vehicle is hired. **Committee recommendation: no change to the existing Policy.**
7. To amend the Policy to include the exclusion of prohibiting the use of electronic cigarettes and 'vapes' inside a licensed vehicle. **Committee recommendation: to change the Policy as requested.**
8. To introduce a pro rata fee for vehicles with less than a year to run. It has been previously deemed that the work to produce the licence is the same as for a 12 month licence. **Committee recommendation: no change to the existing Policy.**
9. To adopt the principles of the Guidance issued by the Institute of Licensing on determining the suitability of applicants and licensees within the Hackney

Carriage and Private Hire Trades. **Committee recommendation: to change the policy as requested.**

10. To extend the 14 day validity of the test pass certificate. **Committee recommendation: no change to the existing Policy.**
11. To extend the existing knowledge test to include an oral test. **Committee recommendation: to change the policy as requested.**
12. The Council has been advised that from the 1<sup>st</sup> October 2018, lost property reporting through Staffordshire Police had stopped. This was a national change affecting all police forces.

Staffordshire Police had issued advice stating that most found property did not need to be passed to the Police and that items could be handed to the premises owner or public transport operator where they were found.

There are certain items that members of the public are not allowed to retain and claim under any circumstances. These include: drugs, firearms, weapons, ammunition, non UK passports, high value items, laptops and cameras, mobile phones, unidentifiable substances or other items that may pose a danger or harm to others.

In the event that any items found are not listed above it is the responsibility of the finder to make reasonable efforts to trace the owner.

Members were also requested to consider the wording in Appendix F of the Conditions of Private Hire Drivers' Licence (Local Government (Miscellaneous Provisions) Act 1976) to state the following:

“3 Lost Property. At the end of every journey, the driver shall carefully search the vehicle for any property, which may have been accidentally left in the vehicle. If the driver finds it or is handed by any other person carried in the vehicle, property that is left in the vehicle, he/she shall report the particulars of the property to the operator. If the property is not claimed within 48 hours of being reported, the driver shall take the property to the nearest police station and obtain a receipt for it.”

**Committee recommendation: to change the policy as requested.**

13. Members considered a request regarding the Amendment of Appendix AA of existing Policy: Definition of “Exceptional Vehicle” for Private Hire Vehicles to include Hackney Carriage Saloon Vehicles.

The term “exceptional vehicle” is used to describe vehicles which are over the age limit set by the Council, but that can continue to be licensed because of their condition. The status of exceptional vehicle only applies to vehicles that

carry out executive and chauffeuring contract work. This only applies to Private Hire vehicles.

Any Council, which imposes an age limit on its vehicles, must be prepared to consider applications from vehicles that are in exceptional condition.

A vehicle of exceptional condition is one where the components i.e. mechanical, body, panels, paint and trim are in exceptional condition with regards to the age of the vehicle. It is essential that the image of the exceptional older vehicle uphold the standards set by a much younger vehicle. These vehicles will be required to have a certificate of compliance every 6 months.

The current age limits are 7 years for a Private Hire vehicle, 7 for a Hackney Saloon vehicle and 10 for a Hackney Carriage vehicle.

Representatives from the Trade proposed that the Policy was amended to extend the definition of "Exceptional Vehicles" to include Hackney Carriage Saloons. The key items to be considered when determining whether or not a

vehicle meets the standard expected of vehicles in exceptional vehicles would remain the same.

**Committee recommendation: no change to the existing Policy.**

14. The Licensing Team have proposed that Appendix N of the existing Policy, Specifications for Hackney Carriage Vehicles, is amended to include an approved list of makes and models regarding Purpose Built Hackney Carriages.

The recommended list is as follows:

- Citroen Sentinel
- Citroen Le Cab Noir
- Citroen Dispatch
- Citroen Eurocab
- Fiat Dakota
- Fiat Scudo
- Fiat Eurocab
- Fiat TW200 (Taxi range)
- Ford Tourneo Custom
- Mercedes Vito
- Nissan Voyager NX8
- Nissan Primastar
- Peugeot E7
- Peugeot European
- Peugeot Expert
- Peugeot Expert Combi
- Peugeot Voyager
- Renault Traffic
- VW Eurocab (Transporter)
- Vauxhall Vivaro (Combi)

The Licensing Team recognise that other makes and models are currently licensed and request that they continue to remain licensed until the expiry, revocation or cancellation of the licence by either the Council or the vehicle proprietor, whichever occurs first.

**Committee recommendation: to change the policy as requested with an additional amendment to specify that the above models would include electric and/or hybrid vehicles**

**Section 13 of the Report circulated with the Council Agenda (Financial Considerations) should read as follows**

13:1 The council is unable to recover the total cost of delivering its licensing service as it can only charge in accordance with statutory requirements. Each licence is different but for instance, the fee for a vehicle and operator's licence may be sufficient in the aggregate to cover in whole or in part-

- (a) The reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or reviewed;
- (b) The reasonable cost of providing hackney carriage stands; and
- (c) Any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles

13:2 A review of licensing fees and charges will take place during January to March 2019 for implementation from 1 April 2019. This will consider all changes to policies which impact on fees and can be charged for to recover costs in accordance with the relevant legislation.