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**Meeting:** Licensing Committee  
**Date:** 08 June 2011  
**Subject:** Duration of Combined Hackney Carriage / Private Hire Driver Licences.  
**Report of:** Gary Alderson – Director of Sustainable Communities  
**Summary:** This report seeks a decision on whether Members wish to change the current policy of only permitting annual hackney carriage / private hire driver licences.

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**Contact Officer:** Margaret James, Licensing Enforcement Officer  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

Supporting and Caring for an ageing population – provision of safe public transport supports independent living.

### **Financial:**

Fees are payable for hackney carriage and private hire licences. The fees being charged represent the cost of the Council producing the licence.

### **Legal:**

Local Government (Miscellaneous Provisions) Act 1976.  
Town Police Clauses Act 1847.  
Equalities Act 2010 – Taxis and Private Hire Vehicles.

### **Risk Management:**

Ensuring that hackney carriage and private hire vehicles operating in Central Bedfordshire are safe and properly regulated.

### **Staffing (including Trades Unions):**

There are no staffing implications.

### **Equalities/Human Rights:**

The Council has a legal duty to proactively promote race, gender and disability equality and to tackle discrimination experienced by other vulnerable groups. In order to ensure the personal safety of all vulnerable groups wishing to use licensed vehicles, conditions attached to licences ensure that this duty is met.

**Community Safety:**

Contributes to a safer public transport system and a safer night time economy. The Council has a statutory duty under Section 17 of the Crime and Disorder Act to do all that it reasonably can to reduce crime and disorder in its area. The provision of sufficient numbers of taxis is a key component of reducing crime and disorder problems linked to the night time economy and licensed premises. In addition, it is essential to ensure that the public, and particularly more vulnerable members of the community, are not left without safe transport options which may lead them to take decisions which put their safety at risk.

**Sustainability:**

By regulating this service area we can ensure that those businesses that are compliant can be supported and resources can be focused at that business that will not comply.

**RECOMMENDATION:**

- 1. To permit hackney carriage / private hire drivers who have held a licence with Central Bedfordshire Council for one full year to have a choice of applying for a one, two or three year licence.**

**Background**

1. The Council is the Licensing Authority for hackney carriage and private hire drivers, vehicles and operators and is responsible for providing a licensed service to the community that is safe and accessible.
2. The hackney carriage and private hire trade have a right to expect a fair and reasonable licensing regime.
3. Before a local authority can make a decision on policies and conditions affecting the hackney carriage and private hire trade, they must consider the views of all interested parties.
- .4. The former South Bedfordshire District Council (SBDC) permitted three year driver licences to licence holders when they had held three consecutive annual licences. The former Mid Bedfordshire District Council (MBDC) did not permit three year licences.

5. The Department for Transport Best Practice Guide states;-

'It is not necessarily good practice to require licences to be renewed annually. That can impose an undue burden on drivers and licensing authorities alike. Three years is the legal maximum period and is in general the best approach. One argument against 3-year licences has been that a criminal offence may be committed, and not notified during the duration of a licence. But this can of course also be the case during the duration of a shorter licence'

.....in relation to this, authorities will wish to note that the Home Office in April 2006 issued revised guidance for police forces on the Notifiable Occupations Scheme'. Under this scheme, when an individual comes to the notice of the police and identifies their occupation as a taxi or private hire driver, the police are requested to notify the appropriate local licensing authority.

6. In January 2010, and following consultation with the trade, Members of the Regulation Committee considered whether or not to permit drivers who had held a licence with Central Bedfordshire for at least one full year to have a choice of applying for a one year or a three year licence.
7. At that time, the Head of Community Safety objected to the issue of three year driver licences.
8. When the driver conditions were adopted by Central Bedfordshire in January 2010, Members resolved that three year licences would not be permitted.

### **Current Policy**

9. The current conditions attached to hackney carriage / private hire drivers only allow a permit a 12 month licence.
10. On 12 October 2010, those drivers attending the monthly taxi and private hire forum expressed their disappointment that this authority does not allow the issue of three year driver licences and asked that Members reconsider the duration of driver licences. Two Members of the Regulation Committee were present at the forum. They agreed that consideration to carrying out a consultation on the matter would be sought at the November meeting of the Regulation Committee.
11. On 17 November 2010, Members of the Regulation Committee resolved that a 12 week consultation be carried out with the hackney carriages and private hire trade to seek their views on the issue of three year driver licences.

The consultation period ended on 31 March 2011.

### **Consultation**

12. All hackney carriage and private hire licence holders, numbering approximately 750, were consulted and asked whether they felt that the current Central Bedfordshire policy of only permitting one year driver licences be changed to allow three year driver licences.
13. There were 5 representations made during the consultation. Summarised as follows:
  - A petition signed by 71 drivers stating that they would like the council to permit the issue of three year driver licences.
  - A petition signed by 9 drivers stating that they would like the council to permit one, two or three year driver licences.
  - 3 individual letters requesting a change to the current policy to permit three year driver licences.

Copies of Trade representations will be available at the meeting. Members are reminded that the copy letters from the trade include views about matters not being discussed at this meeting. All references to the duration of driver licences have been marked by an asterisk for Members information.

14. The Head of Community Safety has been consulted on this matter and she has consulted members of her own team.

She is of the opinion that, provided the proper procedures are in place to enable the Police to advise us of any incidents involving taxi drivers, she would not object to the issue of a three year licence.

15. Members are reminded that Central Bedfordshire does have an information Sharing Agreement with the Police and that the conditions attached to driver licences require drivers to inform this authority within seven days of any motoring or other criminal conviction or caution which has occurred since the granting of a licence.
16. If Members are minded to permit two or three year driver licences, it will be necessary for the cost of producing such a licence to be calculated by the Finance Section and the Head of Service in the usual way.

**Appendices:**

Appendix A – (copies of trade representation)

**Background Papers:** (open to public inspection)

None

**Location of papers:** Watling House, Dunstable