

Central Bedfordshire Council

LICENSING COMMITTEE

Wednesday, 9 March 2016

Review of National Inspection Standards for Hackney Carriage and Private Hire Vehicles.

Advising Officers: Director of Community Services, Marcel Coiffait marcel.coiffait@centralbedfordshire.gov.uk and Margaret James, Principal Public Protection Officer (Licensing) margaret.james@centralbedfordshire.gov.uk,

Purpose of this report

1. To consider adopting National Inspection Standards with regards to the testing of hackney carriage and private hire vehicles..

RECOMMENDATIONS

1. To seek a decision in relation to the standards Members wish to adopt and subsequently apply with regards to the testing of Hackney Carriages and Private Hire Vehicles.
2. Recommend that Full Council adopts these conditions.

Overview and Scrutiny Comments/Recommendations

1. Licensing matters do not fall within the O & S remit.

Current Policies and Conditions.

1. Hackney carriage and private hire vehicles are currently tested at either Luton Borough Council's Transport Depot or Bedford Borough Council's Transport Depot. The vehicles are tested to our hackney carriage or private hire conditions.
2. In August 2012, a Best Practice Guide was prepared by the Technical Officer Group of the Freight Transport Association. It was intended for use by local licensing authorities when inspecting vehicles and provided a minimum national vehicle inspection standard. Numerous local authorities now use the National Inspection Standard as a basis of their own testing standards.

3. It is proposed that vehicles are tested in accordance with the National Inspection Standards together with our Hackney Carriage or Private Hire vehicle conditions.

Options for consideration

The Consultation Process

4. Before a local authority can make a decision on matters affecting the hackney carriage and private hire trade, they must consider the views of all interested parties.
5. In December 2014, comments on the new proposals were invited from the trade, and other interested parties. However, the outcomes of the consultation were not provided at that time, nor were any changes made as two matters rendered the consultation out of date before its outcomes could be implemented. Firstly we awaited the Deregulation Bill to ensure that any conditions issued by CBC aligned to the Bill and secondly, we had started discussions with our neighbouring Bedfordshire authorities with a view to taking a PAN Bedfordshire approach to the possible adoption of a single Criminal Convictions Policy. We also wished to explore a PAN Bedfordshire approach to the possible provision of a Child Sexual Exploitation (CSE) training course for licence holders. Discussion on these matters are ongoing and would be the subject of further consultation in the future. In the meantime, various hackney carriage and private hire matters still needed addressing and the consultation has now been carried out again. There are some changes to the last consultation but any comments made previously are still valid and are included in this report.
6. In December 2015, all hackney carriage and private hire proprietors, operators and drivers, together with other interested parties were informed of the consultation process and their comments invited. The consultation documents were also available to members of the public by accessing the council's website. A copy of our letter to the trade dated 23 December 2015 can be found at Appendix A. This letter is specific to all reports.
7. Various comments were received during the consultation process. The comments can be found at Appendix B. The comments are specific to all reports.
8. A copy of the draft Hackney Carriage and Private Hire Vehicle National Inspection Standards can be found at Appendix C.

Council Priorities

The proposed action supports at least one of the Council's priorities, listed below.

- Enhancing the local community – creating jobs, managing growth, and enabling business to grow.
- Protecting the vulnerable – ensuring a safe and accessible licensed hackney carriage and private hire trade.

Legal Implications

9. Under the Local Government (Miscellaneous Provisions) Act 1976, the Local Authority is responsible for providing a licensed service to the community that is safe and accessible.
10. The hackney carriage and private hire trade have a right to expect a fair and reasonable licensing regime.

Financial and Risk Implications

11. Fees are payable for hackney carriage and private hire licences. The fees charged represent the cost of the council producing the licences.

Equalities Implications

12. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability; gender reassignment; marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
 - In order to ensure the personal safety of all vulnerable groups wishing to use licensed vehicle, conditions attached to licences ensure that this duty is met.

Conclusion and next Steps

13. Full Council must approve any decision made by the Licensing Committee in these matters.
14. It is anticipated that the National Inspection Standards will take effect from 01 May 2016.

Appendices

The following Appendix is attached

15. Appendix A - Letter to the trade dated 23 December 2015.
16. Appendix B – Views of the trade and other interested parties – specific to all reports..

17. Appendix C – National Inspection Standards

Background Papers

None