

## Update Report: Licensing Committee Tuesday 10<sup>th</sup> November 2015

### Revised Policy for the Licensing of Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles

Following a further consultation meeting with the Rossendale Taxi Association, the following changes to the Policy have been agreed:-

- General Policy Matters

- 2.4 Disclosure and Barring Service (DBS) Certificates

- Third paragraph deleted as this is duplicated from elsewhere within the policy. The deleted paragraph is:-

- Applicants for hackney carriage or private hire vehicle licences who do not hold a respective badge at the time of application will be required to submit a basic criminal record check as part of their application to assess their fitness to hold the licence.*

- 2.7 Photographs

- In line with passport requirements, all references to glasses within the bullet points have been removed.

- Who can sign your photograph

- The bullet points have been made clearer as follows:-

- ***Personal relationship***

- The countersignatory must:*

- *know the person applying; and*
    - *be able to identify the person applying, e.g. they are a friend, neighbour or colleague (not just someone who knows them professionally).*

- The countersignatory must not:*

- *be closely related or involved with the person applying, e.g.: related by birth or marriage; and*
    - *be in a relationship or live at the same address as the person applying.*

- Occupations

- The following two sentences on the last paragraph have been deleted as in practice it will be unlikely that the Council will make contact with the countersignatory:-

- Your countersignatory may be contacted by the Council for more information. If they aren't available (e.g. they are on holiday), your application may be delayed.*

- 2.13 Lifting of Vehicle Suspensions

- All references to a fee being levied have been deleted to read as follows:-

- Where the licensed vehicle has been suspended under the Local Government (Miscellaneous Provisions) Act 1976 S.60 for failure to produce documents required by the Council, the suspension will only be lifted once the required documents are produced and are to the satisfaction of the Council. The Council reserves the right to conduct a vehicle inspection before lifting the suspension.*

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*Where the licensed vehicle has been suspended under the Local Government (Miscellaneous Provisions) Act 1976 S.68 following an inspection, the suspension will only be lifted once any required documents have been produced, the defects identified in the suspension notice rectified and the vehicle passes a Rossendale Test inspection undertaken by an Authorised Officer.*

*If the vehicle suspended under the Local Government (Miscellaneous Provisions) Act 1976 S.68 has been subject to an MOT and Rossendale Test undertaken by an authorised garage, the lifting of the suspension will become an administrative process.*

- 2.24 Advertising on vehicles

Amended as follows to include the word 'rear' after each and before door to clarify markings can only be placed on the rear doors:-

*Markings may be placed only on the rear passenger doors (total area for markings may not exceed A3 (297mm x 420mm) in size) on each rear door. Markings may also be placed on the rear boot lid. Any typeface is permitted provided that the total area of each marking does not exceed A3 (297mm x 420mm) in size.*

- 2.27 Change of ownership

All references to a fee being levied have been deleted to read as follows:-

*The holder of a hackney carriage or private hire vehicle licence is required by law to notify the Council, in writing, of the name and address of a person that the vehicle has been sold to. Such notification must take place within 14 days of the sale of the vehicle.*

*The new owner of the vehicle must within 14 days submit to the Council, an application for a change of ownership and such application must be accompanied by the relevant insurance and the V5 registration document showing the new keeper's name and address or the new keeper supplement thereof. If a new keeper supplement is produced, the full log book must be submitted to the Council within 6 weeks.*

*If the change of ownership is not submitted within this period, the vehicle will be suspended and our usual procedures for lifting of that suspension will apply.*

- 2.29 Vehicle Windows

Front passenger window and driver's window added to windscreen as required to let at least 75% of light through as follows:-

*All vehicle windows shall be transparent or if tinted, the front windscreen, front passenger window and drivers window must let at least 75% of light through and all other windows must let at least 70% of light through to the satisfaction of the Authorised Officer.*

- Hackney Carriage Vehicles

- 4.3 Applications

Wording on second, third and fourth indented and fifth indented bullet points amended for clarity as follows:-



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The following documents shall be submitted when making an application for a new or renewal licence:

- the correct fee;
- an original certificate of insurance for the vehicle, valid on the day the licence is collected, insuring it for the purpose of its use as a hackney carriage vehicle; certificates of insurance emailed direct from the insurance company will be accepted;
- the original Vehicle Registration Document showing the current owners name and address or the new keeper supplement; (document must be in person name, sole trader, partnership or limited company);
- an MOT certificate issued during a mechanical vehicle inspection at a Council nominated testing station dated within the month preceding the application;
  - on renewal applications, this certificate shall be no older than two months prior to the expiry of the vehicle licence;
- a 'Rossendale Test' pass certificate from the same MOT testing station the MOT certificate was issued from confirming that the vehicle conforms to the standards set by the Council dated within the month preceding the application;
  - on renewal applications, this certificate shall be no older than two months prior to the expiry of the vehicle licence; and
- if applicable, a letter from the registered keeper of the vehicle to the applicant, stating that they have given their permission for the vehicle to be licensed.

- Private Hire Drivers

- 6.1 First time applications

- A properly completed, legible driver mandate form added to the required documents.

- Private Hire Vehicles

- 7.1 Applications

- Wording on second, third and fourth indented and fifth indented bullet points amended for clarity as follows:-

The following documents shall be submitted when making an application for a new or renewal licence:

- the correct fee;
- an original certificate of insurance for the vehicle, valid on the day the licence is collected, insuring it for the purpose of its use as a private hire vehicle; certificates of insurance emailed direct from the insurance company will be accepted;
- the original Vehicle Registration Document showing the current owners name and address or the new keeper supplement; (document must be in person name, sole trader, partnership or limited company);
- an MOT certificate issued during a mechanical vehicle inspection at a Council nominated testing station dated within the month preceding the application;
  - on renewal applications, this certificate shall be no older than two months prior to the expiry of the vehicle licence;
- a 'Rossendale Test' pass certificate from the same MOT testing station the MOT certificate was issued from confirming that the vehicle conforms to the standards set by the Council dated within the month preceding the application;

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- *on renewal applications, this certificate shall be no older than two months prior to the expiry of the vehicle licence; and*
- *if applicable, a letter from the registered keeper of the vehicle to the applicant, stating that they have given their permission for the vehicle to be licensed.*

- Appendix A

- 3 The taximeter

"When operating within the Borough of Rossendale" added to end of the first paragraph for clarification – this acknowledges legislative requirements as follows:-

*The vehicle shall be provided with a taximeter which must be so constructed, securely fitted and maintained as to comply with the following requirements when operating within the Borough of Rossendale:*

- Appendix C

- Private Hire Driver Licence Conditions

- Drivers of Private Hire Vehicles – Signs, notices etc.

22.1.1 re-worded for clarification as follows:-

*The vehicle must not be equipped with roof fittings including advertisements and a roof sign. If a wireless aerial is fitted, it must be fitted in such a manner to satisfy the Council;*

- Appendix D

- Private Hire Vehicle Licence Conditions

- Signs, notices etc.

re-worded at 1.1.1 for clarity as follows:-

*The vehicle must not be equipped with roof fittings including advertisements and a roof sign. If a wireless aerial is fitted, it must be fitted in such a manner to satisfy the Council;*

- 5 Term of licence

5.1 re-worded for clarity as follows:-

*Private hire vehicle licences shall be granted for a period of 12 months. Applications for renewal should be submitted no earlier than one calendar month and no later than two weeks before the expiry date of the licence. If an application is received less than two weeks before the expiry of the licence, the Council cannot guarantee the renewal application will be processed before the licence expires. The Licensing and Enforcement Manager will consider extraordinary reasons for failing to renew on time.*

- Appendix E

- Byelaws relating to Hackney Carriages

- 9 Conduct of driver

Second bullet point amended as follows:-

a) *not without the express consent of the hirer, smoke, drink or eat in the vehicle;*



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### **Proposal:-**

It is therefore proposed that the fees for private hire and hackney carriage drivers, vehicles and operators be amended to reflect the removal of a fee levied for the lifting of a vehicle suspension and a notification of a change of ownership.

The Rossendale Taxi association are aware of the proposal that all future minor amendments to the policy be delegated to the Director of Business in consultation with the Portfolio Holder. As such they are advised that any minor amendments such as those listed above can be dealt with without the need to address the Licensing Committee. It is proposed that any such amendments be discussed at the Taxi Liaison meetings in the New Year.

### **Representatives from local taxi companies**

A meeting has taken place with representatives from the following Rossendale based companies:-

- Royal;
- Arrows;
- Connections (represented by Arrows);
- Star Taxis;
- Red Baron;
- Blueline;
- Attock;
- AK; and
- Airwolf

The meeting was extremely positive and the following was discussed:-

- Removal of fees listed above;
- Rossendale based companies receiving a priority service;
- difficulties faced when a vehicle is suspended on a Friday evening;
- availability of an enforcement officer on a Saturday morning following enforcement action taking place on a Friday;
- basic skills assessments; and
- mandatory training.

### **Intended Use Policy**

It was noted that following discussion that the representatives from the local taxi companies listed above are supportive of the proposed Intended Use Policy.

Tracy Brzozowski  
Licensing and Enforcement Manager  
10<sup>th</sup> November 2015

