

## CABINET ITEM COVERING SHEET PROFORMA

### AGENDA ITEM

### REPORT TO CABINET

25 NOVEMBER 2010

### REPORT OF HOUSING AND COMMUNITY SAFETY SELECT COMMITTEE

## CABINET DECISION

### Housing and Community Safety – Lead Cabinet Member – Councillor Nelson

#### TAXI LICENSING

##### 1. Summary

In March 2010 the Housing and Community Safety Select Committee in its review of Regulatory Services recommended to Stockton Borough Council's Cabinet that "...the issues raised by the taxi trade in relation to the value for money of the taxi licensing function be considered at a future meeting of the Committee."

This review completes the outstanding issues from the earlier review by examining:

- the resource and funding of the administration and enforcement service including the levels of enforcement and the activities undertaken.
- the vehicle testing station.
- transport planning:
  - using taxis as part of the public transport service,
  - the provision of taxi ranks,
  - the use of bus lanes, and
  - exemptions from road traffic orders.

All taxi drivers registered in the borough received written notification about the review and were invited to provide the Committee with written evidence before giving additional supporting arguments directly to the Committee at a formal meeting. A number of submissions were subsequently received and representation was made at the public meetings of the Committee.

##### 2. Recommendations

It is recommended to Cabinet that:

- R1 operational timescales are introduced, following a feasibility study, to reduce any delays in the production of plates and licenses.
- R2 consultation take place and based on the level of support given amend the licence renewal date to align with vehicle testing.
- R3 changes are made to taxi vehicle plates to reduce the need for annual updates other than for rear plates following initial vehicle licensing.

- R4 the final determination of fees be delegated to the Licensing Committee if six or more objections are received.
- R5 the trade are consulted to determine the support for 3 year licenses and whether they should be compulsory to allow larger cost savings, or optional.
- R6 the trade be consulted on the reintroduction of reminders/partly completed application forms and introduced if sufficient support is given.
- R7 subject to support, CRB renewals are aligned to driver licence renewals.
- R8 a phased introduction for the production and issuing of driver badges, linked to the licence application and CRB renewal, before an existing badge expires.
- R9 the appropriate IT equipment be purchased using monies from the Taxi Trading Account to enable electronic documentation transfer from the vehicle testing centre to the Licensing Office.
- R10 continued discussions take place involving all relevant parties (including ward councillors) to attempt to identify a suitable location for a taxi rank to serve Thornaby Town Centre.
- R11 the results of the in-house survey regarding the use of bus lanes by taxis are presented at a meeting of the Housing and Community Safety Select Committee prior to the presentation of the report at Cabinet.

3. Reasons for the Recommendations/Decision(s)

In order to further improve Stockton Council's position as a local leader within the climate change agenda and assist the reduction of carbon emissions from council buildings.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

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**REPORT OF HOUSING AND  
COMMUNITY SAFETY  
SELECT COMMITTEE**

**CABINET DECISION**

**Housing and Community Safety – Lead Cabinet Member – Councillor Nelson**

**TAXI LICENSING**

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**RECOMMENDATIONS**

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## **DETAIL**

1. The reasonableness of the costs levied by Stockton Borough Council's Licensing Department was the predominant element of the review over which the Taxi Trade representatives challenged the department. The Committee was presented with what appeared to be similar arguments and information as had been determined by the District Auditor. As a result the Committee did not reinvestigate this evidence during the review.
2. Financial information presented to the Committee using comparative costs with other local authorities showed Stockton Council charging the second highest license fees in the region. To fully understand the figures a number of factors need to be taken into account including the frequency of issuing licenses, the amount of monitoring/policing that takes place, and whether or not this includes 'out of office hours' enforcement.
3. The turnaround time for plates and licenses is a major issue for the trade although evidence showed that Stockton Council's Licensing Department dealt with 88 per cent of requests within one working day matching or bettering most of the comparison authorities.
4. The need for taxi front plates and door plates that are dated therefore needing to be annually updated was questioned. A solution is to issue front and rear plates plus door signs on first licensing/replacing vehicle and only issuing dated rear plates on subsequent renewals. It suggests that a production cost saving of £25-£30 could be achieved for each renewal.
5. When a person sells a vehicle they are required to complete the V5C (vehicle registration) document and send it to the DVLA. The Taxi Trade asked that plates be issued with a 28 day period of grace to produce the V5C prior to the finalising the application process. The Committee agreed with the views of the Council's Legal Department which offered caution to changing the current working practices regarding the way in which the V5C operates when transferring vehicles to another owner. As a result the Committee makes no recommendation for change.

6. The trade has been concerned for many years that proposals to increase fees and charges are not subject to independent review asking instead that the final determination of fees be delegated to the Licensing Committee. After consideration by the Committee it agreed that a lack of transparency and fairness could be seen to exist even though this can not be proven so wished to give greater clarity.
7. The Taxi Trade put forward a suggestion that the Council introduce a three-year driver licence to achieve a substantial reduction in administrative costs. Over a three year period a potential saving of £40 could be achieved (in relation to supplies – only two badges issued in three years rather than six) from the £210 total that would currently be incurred.
8. With the possibility of introducing a 3 year licence it was suggested that the department reintroduce annual written reminders for driver licence renewal which could incorporate a pro-forma for the licence but its reintroduction is likely to incur costs.
9. As a means of improved working arrangements the trade asked that the garage in Cowpen Lane provide direct notification of testing results to the licensing staff based in Church Road rather than drivers having to present the documented results. An IT solution at a possible one-off cost (£500) to implement this improvement is feasible.
10. Members and officers are sympathetic to the needs of the taxi trade and their customers at Thornaby Town Centre but as the Council does not own the land it is unable to allocate a taxi rank in the location desired by taxi drivers. Members were therefore eager to see further discussions take place between officers and taxi drivers in order to attempt to overcome this problem.
11. Taxi Trade representatives informed the Committee that they were still awaiting the outcome of a feasibility study that might allow taxis the use of bus lanes. Some Members were minded to support the use of bus lanes by taxis to improve the speed of moving around the borough. As a result the Committee requested the opportunity to comment on the results of what will now be an in-house study.

## **FINANCIAL AND LEGAL IMPLICATIONS**

### **Financial**

12. Minor amendments to the licensing budget would be met by continued offsetting of income from licensing fees and use of balances with the Transport Licensing Account operating as a trading account so that the net cost to the authority is nil.

### **Legal**

13. Recommendation 4 to meet the requirements of the Council's Scheme of Delegation.

## **RISK ASSESSMENT**

14. This scrutiny report is categorised as low to medium risk.

## **COMMUNITY STRATEGY IMPLICATIONS**

### **Community Safety and Well-Being**

15. Any reduction to licensing enforcement may have a detrimental effect on public safety.

## **EQUALITY IMPACT ASSESSMENT**

16. The EIA shows a positive effect for individuals with a disability.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

17. No specific consultation exercise was undertaken.

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### Background Papers

None

### Ward(s) and Ward Councillors

Thornaby ward councillors to be included in discussions when identifying a possible taxi rank location to serve Thornaby Town Centre

### Property

None