

## **Housing and Community Safety Select Committee**

### **Review of Taxi Licensing**



**25 NOVEMBER 2010**

## **Select Committee – Membership**

Councillor Cherrett (Acting Chair)

Councillor Cockerill  
Councillor Earl  
Councillor Gibson  
Councillor Javed  
Councillor Noble  
Councillor O'Donnell

## **ACKNOWLEDGEMENTS**

The Committee thank the following contributors to this review:

Mike Batty, Head of Community Protection, Stockton Borough Council  
Alan Fidler, Operator for Tees Valleys Cars  
Mazhar Ghani, Stockton Hackney Drivers Association  
Javid Khazir, Stockton Hackney Drivers Association  
Dave Kitching, Trading Standards and Licensing Manager, Stockton Borough Council  
John Moon, Director, Middlesbrough Borough Cars  
Bill Trewick, Traffic and Road Safety Manager, Stockton Borough Council

## **1.0 Background to the Review of Taxi Licensing**

- 1.1 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."
- 1.2 The Committee had been made aware of the concerns of the taxi trade in Stockton, and the Hackney Drivers' Association in particular, in relation to the level of fees and the value for money of the licensing service. This had been a long standing issue for the trade having formally objected to the Council's accounts on a number of occasions, most recently regarding the 2008-9 accounts which were still under consideration by the Audit Commission when the Committee reported its recommendations for the regulatory services review.
- 1.3 A scope for the review of taxi licensing was set to include the following parameters:
- 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.
- 1.4 Councillors who are members of the Council's Licensing Committee were asked to decline from taking part in this review to negate any charge of bias against the select committee.
- 1.5 Due to the specific impact to the taxi trade it was imperative to have direct representation of the trade throughout this review. The Committee, as a result, was keen to take the trade views before taking evidence from Stockton Council's Licensing Department to ensure that all concerns were adequately addressed during this short review.
- 1.6 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.

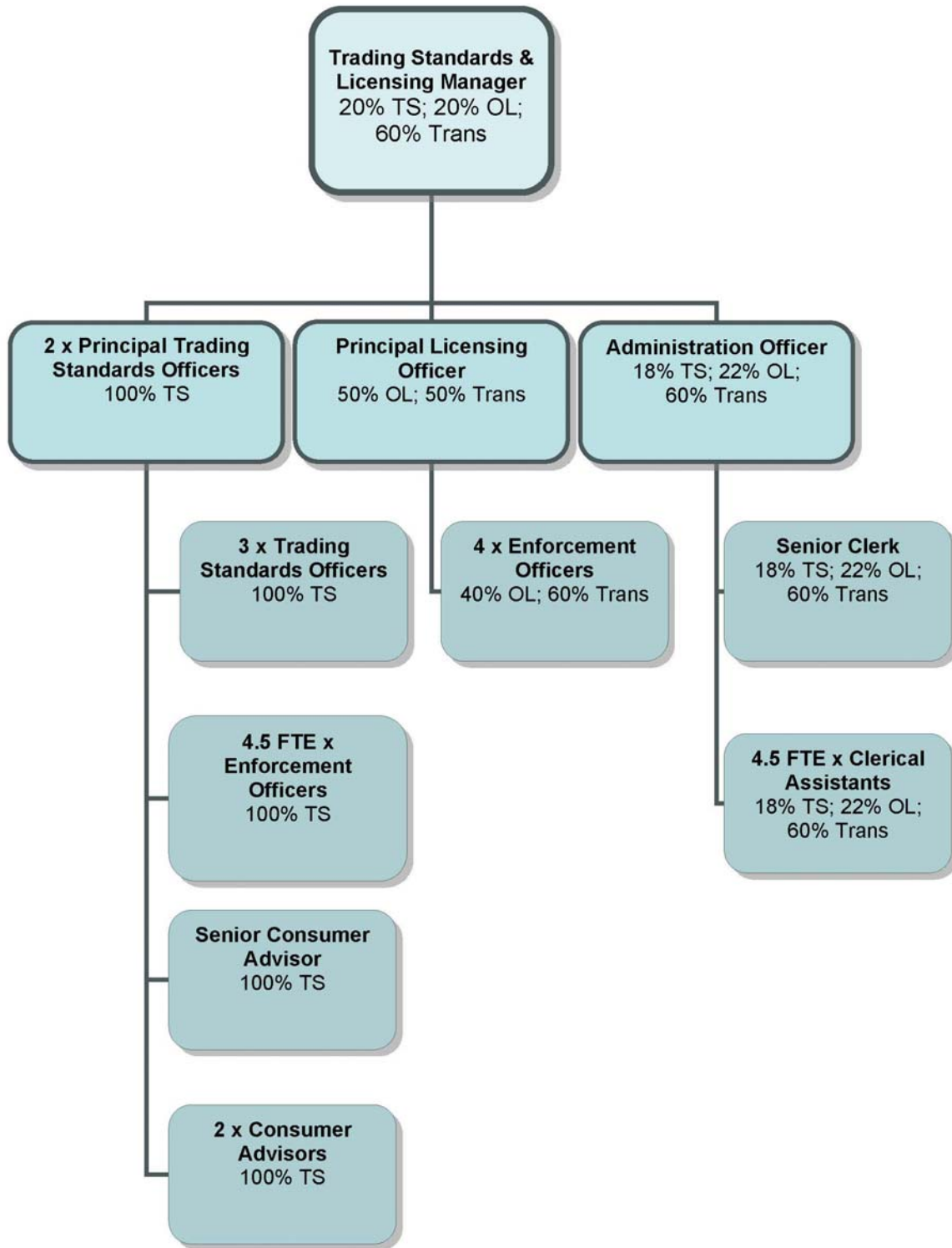
## 2.0 Executive Summary and Recommendations

- 2.1 The turnaround time for plates and licenses is a major issue for the trade. However, 88 per cent are provided within one working day which matches or betters most comparison authorities. **The Committee recommend, following a feasibility study, the introduction of operational timescales to reduce any delays in the production of plates and licenses.** (Para 3.18)
- 2.2 The Taxi Trade would welcome a change to the current policy whereby plates are renewed en bloc. Officers believe that the licence renewal date could coincide with the vehicle test in future years. **The Committee recommend that consultation take place and based on the level of support given amend the licence renewal date to align with vehicle testing.** (Para 3.19)
- 2.3 Discussion took place regarding the use of the plate system and the need for front plates and door plates that are dated therefore needing to be annually updated. **The Committee recommend that changes are made to taxi vehicle plates to reduce the need for annual updates other than for rear plates following initial vehicle licensing.** (Para 3.20)
- 2.4 The Committee gave an indication, if supported by the Council's Legal Department that an amendment should be made to the licensing policy to allow a photocopied V5C [vehicle registration document] to be used, showing the previous owner information, so that a 'temporary' plate can be provided until a V5C can be produced (a maximum of 28 days). 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.
- 2.5 The trade has been concerned for many years that proposals to increase fees and charges are not subject to independent review when formal objections are submitted. Stockton Council has delegated this function to the Head of Community Protection. The Committee felt 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. **The Committee recommend that the final determination of fees be delegated to the Cabinet if six or more objections are received.** (Para 3.30)
- 2.6 The taxi trade representatives put forward a suggestion that the Council introduce a three-year driver licence to achieve a substantial reduction in administrative costs. Whilst this is feasible it may not be welcomed by all drivers and operators. **The Committee recommend that 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.** (Para 3.35)
- 2.7 The trade also requested that the Authority reintroduce the practice of sending reminders and partially completed application forms at renewal times. This has operated in the past but stopped in order to reduce postage and printing costs. Its reintroduction will increase costs to the trade. **The Committee recommend that the trade be consulted on the reintroduction of reminders/partly completed application forms and introduced if sufficient support is given.** (Para 3.36)

- 2.8 The Council could issue an annual declaration, for completion by drivers, confirming any convictions imposed on them since their previous renewal with additional information obtained from CRB Enhanced Disclosure renewals. **The Committee recommend that, subject to support, CRB renewals are aligned to driver licence renewals.** (Para 3.37)
- 2.9 The trade is keen to see the production and issuing of a driver badge when the driver presents himself for collection unless special consideration is required to determine whether a badge can be issued. **The Committee recommend a phased introduction for the production and issuing of driver badges, linked to the licence application and CRB renewal, before an existing badge expires.** (Para 3.38)
- 2.10 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. **The Committee recommend that the appropriate IT equipment be purchased using monies from the Taxi Trading Account, if agreed by the trade, to enable electronic documentation transfer from the vehicle testing centre to the Licensing Office.** (Para 3.42)
- 2.11 The redevelopment of Thornaby Town Centre was highlighted as having affected the provision of a taxi rank. Members and officers are sympathetic to the needs of the taxi trade and their customers but as the Council does not own the land it is unable to allocate a taxi rank in the location desired by taxi drivers. **The Committee recommend 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.** (Para 3.45)
- 2.12 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. The study had been postponed but would now be undertaken in-house. As a result the Committee requested the opportunity to comment on the results of the in-house study. **The Committee recommend that the results of the in-house survey are presented at a meeting of the Housing and Community Safety Select Committee prior to the presentation of the report at Cabinet.** (Para 3.47)

### **3.0 Resource and funding of the administration and enforcement service**

- 3.1 The Local Government (Miscellaneous Provisions) Act 1976 (c.57) states that *“...a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.”*
- 3.2 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. This proved to be an historic argument which had also involved an Audit Commission investigation into the financial arrangements of Stockton Borough Council.
- 3.3 The District Auditor previously found *“...no reliable and validated national or regional data that provides unequivocal evidence to support [an] assertion that Stockton's costs are excessive. [One] may be able to identify some other councils where fees and therefore costs are lower, but there is no certainty that the costs in these Councils have been correctly allocated. [D]ifferent councils may have different policies in relation to such issues as enforcement that could have an effect on charges and fees.”*
- 3.4 The Committee was presented with what appeared to be similar arguments and information as had been determined by the District Auditor who took the opinion that the issues raised or the sums involved did not constitute matters of such importance that needed to be brought to public attention or needed a statutory response from the Council. However, as select committee meetings are open to the public and allow members of the public to speak at meetings it was considered an appropriate way to review the policies and performance of the Licensing Department.
- 3.5 The Trading Standards & Licensing Service was set up in its current format following a service review in 1998. Prior to that review the Licensing Service was provided by a dedicated unit within the Environmental Services Department. Trading Standards and Licensing were joined together as one service to enable both services to operate more efficiently, by decreasing management and administrative support costs, providing increased flexibility and allowing some economies of scale.
- 3.6 The current structure of the team, together with the salary splits by function is presented below. The Taxi Trade often questioned the apportionment of licensing staff duties and requested the support of the Committee to instigate a job analysis exercise similar to that carried out by North Tyneside Council. The Committee felt that previous audit investigations had already ruled on the apportionment of staff functions and as such could not support the Taxi Trade request.



% Splits relate to which budget area salaries are paid from:  
 TS = Trading Standards  
 OL = Other Licensing  
 Trans = Transport Licensing

- 3.7 The Outturn Budget for Transport Licensing for 2009/10 showed an expenditure of £372,844 this expenditure being completely offset by 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.

### Transport Licensing Budget Outturn 2009/10

Description	Outturn Actual
<b>Expenditure</b>	
Employees	208,962
Transport	6,583
Supplies & Services	80,786
Departmental Support Services	20,336
Central Support Services	56,177
<b>Total Expenditure</b>	<b>372,844</b>
<b>Income</b>	
Income (including transfer from balances)	372,844
<b>Total Income</b>	<b>372,844</b>
<b>Expenditure Less Income</b>	<b>0</b>

- 3.8 The Taxi Trade provided evidence in order to question the charges levied in Stockton Borough as compared with other authorities that the trade representatives had direct dealings with.
- 3.9 The Taxi Trade submission of evidence compared fees and charges for licences using Hartlepool, Middlesbrough, Redcar & Cleveland, North Tyneside, Calderdale and Dudley Councils as comparators to Stockton Borough Council. Few feature within the Chartered Institute of Public Finance and Accountancy (CIPFA) Nearest Neighbours Model which was developed to aid local authorities in comparative and benchmarking exercises adopting a scientific approach to measuring the similarity between authorities. However Calderdale had featured but was replaced by Medway Council in April 2009.
- 3.10 Appendix 2 provides financial information that, as the trade have maintained during this review, show comparative costs with other local authorities with Stockton Council charging the second highest license fees in the region. A number of factors need to be taken into account to fully understand the



figures as the number and range of licenses issued, frequency of issue, the amount of monitoring/policing that takes place, whether or not this includes 'out of office hours' enforcement, number of suspensions, and the number of disciplinary hearings/prosecutions all have an impact. Some authorities take a 'minimalist' approach to enforcement, particularly little or no 'out of hours' activity.

- 3.11 The cost of providing the service varies in no small part to the different levels of staffing required for the administration and enforcement and the number of licences as Stockton Council is one of the most active authorities. 8 of the 12 authorities issue a greater number of licenses thereby enjoying economies of scale, particularly for accommodation costs not available to Stockton Council.
- 3.12 In addition, it was claimed, to its members having to pay some of the highest total fees to licence themselves and their vehicles they can also suffer delays in obtaining licences or processing changes of vehicles.
- 3.13 This is of particular importance when vehicles are involved in accidents or through mechanical failure and need to be replaced urgently. For many taxi drivers the vehicle is their only source of income and prolonged delay in replacing a vehicle in an emergency can be extremely stressful and costly.
- 3.14 To support the claim Taxi Trade representatives in their submission provided information that they had gathered from other Tees Valley authorities to highlight the delays experienced in Stockton Borough.
- 3.15 In response the Committee received information from the departmental officers that provided detail of North East councils as well as Calderdale and Dudley Councils.
- 3.16 In reply the Committee was keen to ensure that the information was both correct and comparable. Members instructed both protagonists to meet outside of the formal committee meetings to come to some agreement of the figures that were ultimately to be used in this review. That meeting took place on Wednesday, 15<sup>th</sup> September. A table showing a note of the discussion and possible cost implications are attached at Appendix 1. An agreed table of comparable information is presented below and at Appendix 2.

	<b>Do You Issue New Vehicle Plates and Decals At Renewal</b>	<b>What is your turnaround time for issuing plates/badges</b>	<b>What is your turnaround time for issuing the paper licence &amp; conditions</b>
<b>Stockton</b>	Full Livery - front plate, rear plate, door signs, internal comment card	Maximum turnaround 3 days - 88% within one working day	Maximum turnaround 3 days - 88% within one working day
<b>Middlesbrough</b>	Rear Plate Only	All completed - issued straight away	Licence within 7 days
<b>Redcar &amp; Cleveland</b>	Rear Plate Only	2 Working Days	2 Working Days
<b>Hartlepool</b>	Front & Rear Plate	2 Working Days - Badges 24 Hours - Vehicles	Licence within 7 days

		Same Day for new applications Renewal applications - appointment made with applicant and if all paperwork correct issued same day	Same Day for new applications, if authorised officer not available sent through post Renewal applications - appointment made with applicant and if all paperwork correct issued same day
<b>Darlington</b>	Rear Plate Only		
<b>Durham</b>	Rear Plate Only	7 Days	7 Days
<b>Northumberland</b>	Rear Plate Only	7 Days	7 Days
<b>Sunderland</b>	Rear Plate Only	Vehicles - Same Day Badges - 5 Days	Issued in Post at a later date
<b>South Tyneside</b>	As and when required - depending on state of plate	Vehicle - Same Day Badges - Same Day	Same Day
<b>North Tyneside</b>	Rear Plate Only	Issue Same Day	Issued in Post at a later date
<b>Newcastle</b>	Rear Plate Only	AM - Same Day PM - Next Day	AM - Same Day PM - Next Day
<b>Gateshead</b>	HC Saloons Rear Plate only PH & WAV's - Nothing	Vehicles - 3-4 Days Badges - 5 Days	Vehicles - 3-4 Days Badges - 5 Days
<b>Calderdale</b>	*Rear Plate Only	5 Days	5 Days
<b>Dudley</b>	**	Badges - 2 Days Vehicle - 2 Days	Badges - 2 Days Vehicles licence issued separately to plate

**\* Calderdale issue letter with back plate advising people to go to another company to order door signs**

**\*\* Dudley do not issue a plate, only if the plate gets broken or lost. Vehicle can have an expiry twice a year depending what comes first car insurance or vehicle test date. If a car is 6 years or younger it has a vehicle test every 12 months. 6 to 8 years old tested every 6 months, 8 years or older then a test is required every 4 months.**

3.17 As indicated above the turnaround time for plates and licenses is a major issue for the trade. Stockton Council's Licensing Department could appear to be less effective than other local authorities for time taken when compared with other local authority departments. The table can suggest that a shorter timescale is achievable elsewhere but it is not evident as to when councils commence their timing. With 88 per cent provided within one working day this matches or betters most of the comparison authorities. Officers were however sympathetic to the trade issues of delayed turnaround affecting a driver's livelihood.

3.18 The trade's initial solution is the preparation of plates in advance of completion of an application and, if required, a review before a decision was made. Any refusal of an application then the cost of the plate and its production could be deducted from the repayment of the fee. In opposing the trade's ideas officers suggested the introduction of systems similar to that appearing to operate in Newcastle. In normal circumstances applications completed satisfactorily before 12:00 noon would have licence and plates ready for collection at 4:00pm on the same day and those submitted after

noon for 12:00 noon the next day. **The Committee recommend, following a feasibility study, the introduction of operational timescales to reduce any delays in the production of plates and licenses.**

- 3.19 The Taxi Trade would welcome a change to the current policy whereby plates are renewed en bloc. Officers believe that the licence renewal date could coincide with the vehicle test in future years. Consultation could take place with the Taxi Trade when a timetable for change has been discussed at a future meeting of the Taxi Trade Forum. **The Committee recommend that consultation take place and based on the level of support given amend the licence renewal date to align with vehicle testing.**
- 3.20 Discussion took place regarding the use of the plate system and the need for front plates and door plates that are dated therefore needing to be annually updated. Agreement was reached between trade representatives and officers to issue front and rear plates plus door signs on first licensing/replacing vehicle and only issuing rear plates on subsequent renewals. Consideration must however be given to the effects on public safety/ease of identification of a vehicle. It suggests that a production cost saving of £25-£30 could be achieved for each renewal. **The Committee recommend that changes are made to taxi vehicle plates to reduce the need for annual updates other than for rear plates following initial vehicle licensing.**

### Vehicle Registration Documents

- 3.21 The Private Hire and Hackney Carriage Licensing Policy - March 2009 states that "*...the vehicle licence and identification plates will not normally be issued, unless there are exceptional circumstances, until the V5C [vehicle registration] document is produced showing the named applicant as being the registered keeper.*"
- 3.22 The Committee asked if any legal reason exists for not allowing a photocopied V5C to be used, showing the previous owner information, so that a 'temporary' plate can be provided until a V5C can be produced (a maximum of 28 days). Middlesbrough Council's Licensing Department were cited as accepting a photocopy but the legality of this was unknown. It allows a taxi driver to continue to trade whilst waiting for the documents needed to verify his/her plate. Reference was made to Local Government Ombudsman adjudication 05C00777 *Maladministration causing injustice*. <http://www.lgo.org.uk/complaint-outcomes/other-categories/other-archive-2006-07/stockton-tees-borough-council-05c00777/>
- 3.23 The Ombudsman complaint from 2006 did not say that the Council could not have such a policy, it found maladministration in the way the consultation was undertaken at the time. This was rectified after the Ombudsman complaint by a further consultation exercise. The transport licensing policy review undertook extensive consultation over a period of a year and this policy requirement was retained in 2010.
- 3.24 When a person sells a vehicle they are required to complete the V5C document and send it to the DVLA. The purchaser should be given a tear off slip which details the V5C registration number and their details. It may be possible for the new keeper to obtain a photocopy of the V5C. SBC's Legal Department gave no legal reason why a photocopy of a V5C could not be

accepted but identified the following practical and policy reasons why this may not be appropriate, such as:-

- Photocopies can be easily doctored to amend details on the V5C. In the past licensing have had experience of persons producing doctored birth certificates, MOT's, insurance and even driver badges.
- If a person wrote their car off, purchased it from the insurance company and then got it repaired the V5C document would not record that until the vehicle had changed hands. The DVLA would be informed that the vehicle was written off but until the vehicle changes hands this information would not be on the V5C document. Therefore if photocopies were to be accepted accident damaged vehicles could be licensed which would be in contravention of the transport licensing policy and could also have potential safety implications.
- The requirement for the original V5C to be produced was introduced for a number of reasons including the fact that licensing administration was required to pursue drivers who had their plates issued but failed to produce their V5C. This incurs a cost to the authority.
- If issuing a temporary plate there would be a cost to this both in the additional administration and the cost of temporary plates. Even if a temporary plate was issued it would be a similar situation of the vehicle having a plate and the licensing section would then have to attempt to recover the plate if an original V5C was not produced. If a vehicle has a plate on it members of the public would be unlikely to look at the expiry date so again there could be public safety implications in issuing 28 day plates.

3.25 The Committee gave an indication, if supported by the legal department that an amendment should be made to the licensing policy as a way of placating complaints raised at the meetings that has taken taxi trade views. Legal advice given suggested further consultation would have to be carried out with the trade and other stakeholders as there could be cost and public safety implications. The transport licensing policy will also be reviewed every three years meaning that the next review will take place in 2012/13.

3.26 At the meeting on the 15<sup>th</sup> September 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. Departmental officers did not support this as discretion is already taken when dealing with replacements for the very few accident damaged vehicles that occur annually. When checking records of complaints none had been received regarding this issue in the last five years.

3.27 The Committee gave consideration to the arguments of both sides but 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.

3.28 The trade has been concerned for many years that proposals to increase fees and charges are not subject to independent review when formal objections are entered under s70 (3) of the Local Government (Miscellaneous Provisions) Act 1976.

3.29 The legislation goes on to state (s70 (5)) that *"...If objection is duly made... and is not withdrawn... the variation shall come into force with or without modification as decided by the district council after consideration of the*

*objections.*” Stockton Council has delegated this function to the Head of Community Protection. As a result the Trade does not consider this to be transparent or fair as the officer making the determination is the head of the overall function within which taxi licensing administration is carried out.

- 3.30 The Taxi Trade asked that the final determination of fees be delegated to the Licensing Committee. After consideration by the Committee it agreed with the Taxi Trade 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. **The Committee recommend that the final determination of fees be delegated to the Cabinet if six or more objections are received.**

### Duration of Licences

- 3.31 The Taxi Trade put forward a suggestion that the Council introduce a three-year driver licence to achieve a substantial reduction in administrative costs that are borne by taxi drivers in the borough. For this to work an operational principle was also suggested whereby the Council could issue an annual declaration, for completion by drivers, confirming any convictions imposed on them since their previous renewal. Additional information could be obtained from CRB Enhanced Disclosure renewals, police information provided under the Notifiable Employments Regulations and informal information, along with inspection of the driver’s DVLA licence/D9 counterpart.

- 3.32 The Committee was informed when taking evidence from SBC officers of the Department of Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guidance. This states that:

*“...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 the licence. But this can of course also be the case during the duration of a shorter licence.*

*However, an annual licence may be preferred by some drivers. That may be because they have plans to move to a different job or a different area, or because they cannot easily pay the fee for a three-year licence, if it is larger than the fee for an annual one. So it can be good practice to offer drivers the choice of an annual licence or a three-year licence.”*

- 3.33 In an attempt to identify the level of savings the Committee was informed that 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. Such a saving might be subject to all drivers and operators adopting these licence periods although it is recognised that this may cause cash flow problems for some licensees, particularly those drivers first entering into the business.

- 3.34 At the meeting on 15<sup>th</sup> September officers raised no objection in principle to this but questioned whether all of the trade would want or be able to move to 3 year licence. Officers therefore suggest that consultation be undertaken

- with all licensees before the introduction of any changes to the duration of licenses.
- 3.35 The taxi trade representatives put forward a suggestion that the Council introduce a 3 year driver licence to achieve a substantial reduction in administrative costs. Whilst this is feasible it may not be welcomed by all drivers and operators. **The Committee recommend that 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.**
- 3.36 The trade also requested that the Authority reintroduce the practice of sending reminders and partially completed application forms at renewal times. This has operated in the past but stopped in order to reduce postage and printing costs. Its reintroduction will increase costs to the trade. **The Committee recommend that the trade be consulted on the reintroduction of reminders/partly completed application forms and introduced if sufficient support is given.**
- 3.37 As mentioned above the Council could issue an annual declaration, for completion by drivers, confirming any convictions imposed on them since their previous renewal with additional information obtained from CRB Enhanced Disclosure renewals. The trade felt that the renewals could be aligned to a driver licence renewal. This met with no objection from officers who suggested that the CRB be submitted one month prior to renewal of a 3 year licence. **The Committee recommend that, subject to support, CRB renewals are aligned to driver licence renewals.**
- 3.38 The trade is keen to see the production and issuing of a driver badge when the driver presents himself for collection unless special consideration is required to determine whether a badge can be issued. Officers believe that this could be linked to the application of the licence submitted with the CRB renewal. This would allow for the collection of a badge at any time prior to the old badge expiring. **The Committee recommend a phased introduction for the production and issuing of driver badges, linked to the licence application and CRB renewal, before an existing badge expires.**

### **The vehicle testing station**

- 3.39 The majority of the review was taken with the resource and funding issues of the Council's licensing department. Following on from the Committee's review of Regulatory Services other issues were included in the scope of the review of Taxi Licensing including whether improvements could be made to the Council vehicle testing station.
- 3.40 Very little representation was made regarding this element except for its direct interaction with the licensing department. As such the trade made suggestions in order to smooth the way in which information is transferred from the testing station to the licensing department to reduce bureaucracy and speed up the service.
- 3.41 The trade questioned the need to present an MOT certificate when it was issued by the Council in support of an application to renew a vehicle license. As mentioned above, any approved changes to allow the license renewal date to coincide with the vehicle test will negate this issue.

- 3.42 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. Officers proposed that an IT solution be sought utilising computer software and hardware to implement this improvement. **The Committee recommend that the appropriate IT equipment be purchased using monies from the Taxi Trading Account, if agreed by the trade, to enable electronic documentation transfer from the vehicle testing centre to the Licensing Office.**

**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.
- 3.43 At the committee meeting on 12<sup>th</sup> July some discussion took place regarding the transport planning arrangements in Stockton Borough.
- 3.44 BAE Systems Pension Funds Trustees now own Thornaby Town Centre, the redevelopment of which was highlighted as having affected the provision of a taxi rank. Members and officers are sympathetic to the needs of the taxi trade and their customers but as the Council does not own the land it is unable to allocate a taxi rank in the location desired by taxi drivers.
- 3.45 The Committee was made aware that informal bays exist at the rear of the health centre. Members were eager to see further discussions take place between officers and taxi drivers in order to attempt to overcome this problem. **The Committee recommend 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.**
- 3.46 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. The study, Members learned, had been postponed due to it originally being intended to outsource at a cost of £6,000 but would now be undertaken in-house. Stockton Council continues to carry out civil enforcement of the borough's bus lanes.
- 3.47 When considering bus lane usage a number of Members were minded to support the use of bus lanes by taxis to improve the speed of moving around the borough even though this might need additional enforcement actions to ensure only taxis utilise the bus lanes. As a result the Committee requested the opportunity to comment on the results of the in-house study. **The Committee recommend that the results of the in-house survey are presented at a meeting of the Housing and Community Safety Select Committee prior to any decisions being taken.**

#### **4.0 Conclusion**

- 4.1 The Committee was pleased to be able to attempt to resolve the outstanding issues from its previous review of Regulatory Services.
- 4.2 Particular thanks are given to the representatives of the Taxi Trade for their full participation during this review. The submission of information and their contribution and involvement in the Committee meetings is appreciated to assist the Committee understand the issues that have existed for some time.
- 4.3 The Committee also thank officers for their time and evidence which is recognised as being in addition to their normal work duties.
- 4.4 The Committee approached this review, as with all others, without any preconceptions and has applied equal weight to all the evidence it has received in order to determine the recommendations it wished to present to Cabinet.

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	<b>Trade Comments</b>	<b>Officers Comments</b>	<b>Cost Implications</b>
1.	<p>Plate Renewals – move away from single date for each of HC's and PHV's.</p> <p>We would welcome the new arrangement introduced after the commencement of the scrutiny review but would suggest it be extended to licence renewals being tied into calendar month ends and tests at renewal and six months- as appropriate</p>	<p>The move away from fixed dates is feasible. Officers will prepare timetable for change to be discussed at next Taxi Trade Forum.</p> <p>Licence Renewal date to coincide with vehicle test in future years.</p>	Probably cost neutral
2.	Why is it necessary to re-present an MOT certificate/pass certificate issued by the Council's own garage when submitting an application to renew a vehicle licence?	Changing of renewal date will negate this problem	Cost neutral
3.	Why cannot the garage of Cowpen Lane notify details of vehicles which have satisfied/failed routine half-yearly tests direct to Licensing Administration rather than requiring drivers/proprietors to present pass/fail sheets in person?	Officers have discussed with Test Depot Management, this is feasible subject to appropriate IT equipment and software being purchased (scanner).	Initial one off cost Circa £500 for equipment and software.
4.	<p>Driver Licensing</p> <p>Three year licences for all except persons for whom a lesser period is indicated; in view of any health or disciplinary matters.</p>	Officers have no objection in principle to this – but will all of the trade want to move to 3 year licence? Officers recommend consultation with all licensees before introduction	Cost saving in relation to supplies – only two badges issued in three years rather than six.
5.	Revert to the practice of issuing written reminders for driver licence renewal. Renewal letter to incorporate pro-forma for renewal of licence.	Officers have no objection to this – this practice was stopped at request of trade to save costs (letters/printing/postage & officer time)	Increase costs
6.	Harmonise periodic CRB “refreshers” with driver licence renewal.	Officers have no objection to this – suggested CRB submitted one month before licence renewal for three year driving licence.	Cost neutral

	<b>Trade Comments</b>	<b>Officers Comments</b>	<b>Cost Implications</b>
7.	Produce and issue driver badge on application in person at Church Road unless special consideration needed before issue.	Officers suggest application submitted with CRB, one month before licence expires, all badges ready for collection at any time during week before old badges expire.	Cost neutral
8.	Vehicle Licensing Prepare plates in advance of completion of application/review and decision. If renewal/grant refused cost of plate can be deducted from any return of fee – <i>Liverpool v Kelly</i> refers.	Officers would oppose this – audit procedures in place prevent the making of the plate until the application process is finished. Officers offered, in normal circumstances, that applications completed satisfactorily before 12:00 noon would have Licence and plates ready for collection at 4:00pm same day and those submitted after noon for 12:00 noon the next day.	Potential Cost increase in admin time
9.	Issue plates with 28 days period of grace to produce DVLA form V5, if not available prior to finalisation of application process.	Officers against any change of current policy. Trade made reference to replacement of accident damaged vehicles. Officers confirmed that this situation occurred less than a handful of times each year. Officers would continue to use their discretion in such cases. There have been no complaints regarding delays in licensing replacement vehicles due to V5 for over five years	No cost implications
10.	Review the use of the MOGO plate system and the necessity for “front” plates and “dated” door decals. Do we need “polythene carrier bags” if plates are issued randomly rather than on one specific date and time?	Discussions resulted in proposals to issue front and rear plates plus door signs on first licensing/replacing vehicle and only issuing rear plates on subsequent renewals.  Consideration must also be given to the effects on public safety/ease of identification of vehicle.  There is no cost for carrier bags as suppliers provide free of charge to advertise to the trade.	Cost saving of £25-£30 on each renewal on cost of plates plus production.

	<b>Trade Comments</b>	<b>Officers Comments</b>	<b>Cost Implications</b>
11.	<p>Operator Licensing Move to a single fee reflecting the actual cost of processing the licence grant and/or renewal.</p> <p>Note: The PHV vehicle fee used to be set at a lesser amount, which reflected the collection of the banded operator fee. Since April 2008 the fee for HC and PHV vehicle licences has been harmonised. We believe the Council is collecting fees in an unreasonable and unfair way. If all vehicles are accounted for at 1<sup>st</sup> December why should any change in vehicle numbers, between bands/operators result in a higher fee, unless the rise in numbers relates to the grant of additional plates? Why are refunds not permitted for falling in to a lower band?</p> <p>Is it reasonable or lawful to collect an additional fee mid-year when the licence has been granted on 1<sup>st</sup> December?</p>	<p>Officers are of the view that the current cost to operators reflects the work undertaken with different size businesses.</p> <p>Reduction of fees to operators would result in an increase in costs to drivers/vehicle proprietors to balance budget.</p> <p>Officers willing to consider any suggestions about how the budget could be reallocated between licence types.</p>	Cost neutral
12.	<p>Financial Issues What progress/consideration has the Council given to the following matters:</p> <p>Review of comparative costs with other authorities and any justification for the considerable variances.</p>	<p>Officers had previously tabled comparison data for the twelve ANEC authorities plus Calderdale and Dudley which the trade had previously mentioned.</p> <p>Officers are of the view that the variances are justified for a number of reasons including differing levels of enforcement between authorities and differing levels of economies of scale.</p>	N/A
13.	Review of "business processes"	Officers had obtained copies of exercise undertaken by North Tyneside. Officer considering feasibility of its application to Stockton but exercise would not be completed within the timescale of this scrutiny review.	There will be a cost in officer time to undertake the review

	<b>Trade Comments</b>	<b>Officers Comments</b>	<b>Cost Implications</b>
14.	Review of costs allocation and “proxy indicators” used to determine apportionment of direct labour costs and indirect costs.	Officer explained that cost allocation was not made on proxy indicators and that method used had been agreed with/approved by both Internal and District Auditors.	N/A
15.	<p>Sundry charges and fees</p> <p>a) Transfer of proprietorship b) Change of vehicle</p> <p>These are some of the highest anywhere in the Country. What is the justification for sums of the level charged for merely reviewing an application form and recording changes to/variations in existing computerised records?</p>	<p>Officers explained that there is more work undertaken than that suggested by trade comments and that the fees charges are part of the package that results in the authority recovering the whole of its costs spent on transport licensing. If these fees were reduced other fees would need to increase to recover the difference.</p> <p>As before Officers are happy to look at the apportionment of costs across the various licences/transaction types</p>	Cost neutral
16.	<p>Drugs Testing</p> <p>Are tests intelligence lead or random</p> <p>Have the council started testing their own drivers</p>	<p>Officers confirmed that the drugs testing programme included both intelligence led and random requests for saliva samples to be provided.</p> <p>At this moment in time the Council has not commenced routine testing of its own drivers.</p>	N/A
17.	Contact Centre	Officers outlined initial proposals regarding the opening of a contact point/reception in the Central Library and the closure of 16 Church Road Reception. The trade expressed some initial concerns. Officers confirmed that they hoped there would be a consultation period with the Trade before any changes were made to allow potential concerns to be considered/addressed.	Not Known



Transport Licensing 2009/10	Stockton	Middlesbrough	Redcar & Cleveland	Hartlepool	Darlington	Durham	Northumberland	Sunderland	South Tyneside	North Tyneside	Newcastle	Gateshead	Calderdale	Dudley			
<b>Enforcement Activities</b>																	
Suspension Notices Issued	263	516	113	23	258	92		117	451	206	281	162	N/A	446	0<149	150<299	300+
Drivers placed on Driver Improvement Scheme	12	8	0	2	1	0		N/A	N/A	0	N/A	0	N/A	1	0	1<9	10+
Driver Disciplinary Committee Reports	60	81	22	21	50	56		38	N/A	45	136	9	All decisions delegated to Officers	184	0<24	25<49	50+
PACE Tape Transcripts	45	25	7	7	35	6		14	5	12	19	7	182	58	0<19	20<39	40+
<b>Licensing Enforcement Actions</b>																	
Total Actions (visits etc)	1,601	1,575	78	789	1,231	814		N/A	147	1,799	2,444	150	1,884	2,336	0<749	750<1499	1500+
Total Complaints	199	111	34	63	121	256		50	81	120	194	35	63	184	0<74	75<149	150+
Other Investigations	96	58	0	30	125	146		N/A	N/A	N/A	119	9	N/A	324	0<49	50<99	100+
Actions Per Licence	1.15	0.86	0.09	0.82	1.95	0.22			0.11	0.74	0.54	0.10	1.04	1.13	0<0.49	0.49<0.99	1+
Complaints Per Licence	0.14	0.06	0.04	0.07	0.19	0.07		0.02	0.06	0.05	0.04	0.02	0.03	0.09	0<0.04	0.05<0.09	0.1+
Total Licences	1,391	1,836	844	963	630	3,665		2,747	1,312	2,447	4,506	1,571	1,805	2,066			
<b>Licence Fees</b>																	
<b>Hackney Carriage</b>																	
Vehicle Licence	£395.00	£442.00	£340.00	£310.00	£400.00		£205.00	£299.90	£250.00	£274.00	£258.00	£290.00	£144.00	£207.16			
Plates	Included in Fee	£0.00	£0.00	£0.00	£25.00		£20.00	£0.00	£0.00	£0.00	£0.00	£14.25	£0.00	£36.05			
Tests + MoT	£100.00	Included in Fee	Included in Fee	Included in Fee	£109.70		£104.85	Included in Fee	£90.00	£54.85	£108.00	Included in Fee	£120.00	£137.67			

Transport Licensing 2009/10	Stockton	Middlesbrough	Redcar & Cleveland	Hartlepool	Darlington	Durham	Northumberland	Sunderland	South Tyneside	North Tyneside	Newcastle	Gateshead	Calderdale	Dudley
Driver Licence	£70.00	£53.00	£55.00	£67.00	£70.00		£70.00	£56.70	£50.00	£54.00	£60.00	£46.90	£90.00	£107.48
<b>Total Annual Cost</b>	<b>£565.00</b>	<b>£495.00</b>	<b>£395.00</b>	<b>£377.00</b>	<b>£604.70</b>		<b>£399.85</b>	<b>£356.60</b>	<b>£390.00</b>	<b>£382.85</b>	<b>£426.00</b>	<b>£351.15</b>	<b>£354.00</b>	<b>£488.36</b>
<b>Private Hire</b>														
Vehicle Licence	£395.00	£465.00	£304.00	£310.00	£395.00		£205.00	£299.90	£239.00	£274.00	£255.00	£290.00	£144.00	£207.16
Plates					£25.00		£20.00			£0.00		£14.25		£36.05
Tests + MoT	£100.00	Included in Fee	Included in Fee	Included in Fee	£109.70		£104.85	Included in Fee	£90.00	£54.85	£108.00	Included in Fee	£120.00	£137.67
Driver Licence	£70.00	£53.00	£55.00	£67.00	£70.00		£70.00	£56.70	£50.00	£54.00	£60.00	£46.90	£90.00	£107.48
<b>Total Annual Cost</b>	<b>£565.00</b>	<b>£518.00</b>	<b>£359.00</b>	<b>£377.00</b>	<b>£599.70</b>		<b>£399.85</b>	<b>£356.60</b>	<b>£379.00</b>	<b>£382.85</b>	<b>£423.00</b>	<b>£351.15</b>	<b>£354.00</b>	<b>£488.36</b>
Total Licences	1,391	1,836	844	963	630	3,665		2,747	1,312	2,447	4,506	1,571	1,805	2,066
<b>Number Of Licences</b>														
Private Hire Vehicles	291	408	229	170	58	448		626	368	910	1,001	484	702	457
Hackney Carriage Vehicles	308	355	118	165	191	993		349	236	204	780	268	58	245
Licensed Drivers	755	1,063	473	620	376	2,081		1,731	681	1,300	2,680	795	985	1,321
Operators	37	10	24	8	5	143		41	27	33	45	24	60	43
<b>Total Licences</b>	<b>1,391</b>	<b>1,836</b>	<b>844</b>	<b>963</b>	<b>630</b>	<b>3,665</b>		<b>2,747</b>	<b>1,312</b>	<b>2,447</b>	<b>4,506</b>	<b>1,571</b>	<b>1,805</b>	<b>2,066</b>
<b>Budget</b>	372,125	430,767	N/A	157,000 (est)	140,033	N/A		238,500	245,353	480,713	N/A	210,000	284,121	415,000