

AGENDA NO

OTHER LICENSING COMMITTEE

22 OCTOBER 2019

REPORT OF ASSISTANT DIRECTOR
ADMINISTRATION, DEMOCRATIC AND
ELECTORAL SERVICES

PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING POLICY AMENDMENTS - CONSULTATION

SUMMARY

The purpose of this report is to update Members on a recent Private Hire and Hackney Carriage Policy consultation and to provide further information which was requested at the licensing committee hearing on 8 October 2019.

RECOMMENDATION

Members' comments are received on proposed changes to the current policy.

Detail

1. As requested at the licensing committee hearing on 8 October 2019, additional information is presented to promote considerations of a policy change that would enable a more level playing field across the Tees Valley.
2. ***New Applicant DVLA licence requirement***
The trade have requested the current policy is amended for new applicants to have held a full DVLA licence for 12 months rather than the current policy requirement of three years. The trade have commented this higher requirement is making it increasingly difficult to recruit new drivers, the trade raised issues raised regarding cross border applications with other authorities and requested the need for an equitable approach across the Tees Valley.
3. Members should note that it is a legal requirement under section 51 of The Local Government Miscellaneous Act 1976 for new applicants to have held a full DVLA licence for 12 months only before a licence is granted.
4. The current three year requirement was introduced by this authority at the 2016 transport policy review and was based on a 16 page Local Government Association LGA guidance document outlining a draft taxi and private hire criminal convictions policy.
5. The three year requirement is not included in the LGA Councillor Handbook: Taxi and Private Hire Licensing 2017. A copy of this full 40 page document can be found at:
<https://www.local.gov.uk/councillor-handbook-taxi-and-phv-licensing>
6. The three year requirement is not included in the Department for Transport Taxi and Private Hire: Protecting Users Statutory Guidance for Licensing Authorities (consultation version) February 2019. A full copy of this 36 page document can be found at:
<https://www.phtm.co.uk/file/docs/Draft-Statutory-Guidance.pdf>

7. A request for information on insurance claims made by / against drivers with 1,2,3 years driving experience was put to the Association of British Insurers, at the time of print no reply had been received. Some information can be found at:

<https://www.abi.org.uk/globalassets/sitecore/files/documents/publications/public/migrated/motor/abi-guide-to-improving-the-safety-of-young-drivers.pdf>

8. A request for information on road safety and experience of drivers was put to the Department for Transport at the time of print no reply had been received. Some information can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/706516/young-car-drivers-factsheet.pdf

9. The current policy wording regarding driving licences granted outside the UK is:

A driver's licence will not be granted to anyone who has not held a full driving licence for a period of three years. Full driving licences issued by European Economic Area states will also count towards this qualification requirement and equal recognition can now also be given to Northern Ireland driving licences.

10. If the policy is amended suggested new wording regarding driving licences granted outside the UK would be:

Only full driving licences issued in the UK, the European Community (EC) or one of the other countries in the European Economic Area from some designated countries that have exchange agreements with the UK, will count towards this qualification requirement. Equal recognition is also given to Northern Ireland driving licences. Further details can be found at www.dvla.gov.uk

11. Members should note all new applicants regardless of length of time a DVLA licence has been held, are required to complete and pass the Tees Valley Taxi Driving Assessment before a licence is granted. This is carried out by the Road Traffic Safety team based at Hartlepool Borough Council. Further information and assessment criteria is attached as Appendix 1.

12. The following data supplied by the Tees Valley Authorities shows the current numbers of drivers 21 years or younger, indicating the Private Hire or Hackney Carriage profession does not attract young drivers.

Local Authority	Total drivers on Fleet 09.09.19	Driver under 21 years
Middlesbrough	1342	3
Hartlepool	465	0
Redcar	422	0
Darlington	438	0
Stockton	815	0

13. The twelve North East Local Authorities hold a register on driver licence refusals / revocations and suspensions. Since November 2017 304 drivers have been added to this register, 6 of those were born in 1995 or before (24 years) at the time they were refused or revoked. Although this is not a comparison of driving experience data, it is an indication of the numbers of drivers under the age of 24 being refused / revoked or suspended in the North East.

14. Members should note there has been a reduction in the number of new driver application received by the authority, the table below shows data of new applications received.

SBC new driver applications received		SBC total licensed drivers numbers from service plan at end of year	
16/17	104	16/17	874
17/18	80	17/18	860
18/19	62	18/19	837
Apr – 16.09.19	11	Sep 2019	803

15. A recent Freedom of Information request confirms the numbers of private hire operator (5), vehicle (125) and driver (243) applications with a TS postcode lodged with Wolverhampton City Council.
16. Wolverhampton's requirements are less stringent than this authority for example new applicants require a full DVLA licence held for 12 months before grant. Also Wolverhampton licensed vehicles complete an annual MOT only for vehicles under 10 years old, as opposed to this authority which requires an annual MOT plus biannual vehicle compliance tests.
17. In light of the above additional information and to ensure a level playing field across the Tees Valley, it is proposed that Cabinet consider recommending to Council reducing the requirements for new applicants to have held a full DVLA licence to 12 months, rather than the current policy requirement of three years.
18. The private hire operators who requested formal consideration of the proposed amendments to policy, at Taxi Trade meeting in June 2019 have been invited to this meeting. A copy of the original request is attached as Appendix 2.
19. Next Steps – summary of the consultation with the trade and licensing committee will be considered by Cabinet on 14 November 2019 and full Council on 20 November 2019. Following approval any changes agreed would come in to immediate effect.
20. The trade will be informed of decisions via emails to private hire operators and the SHCDA, via the trade Facebook page and via the website. In addition the requests and decisions will be added to the agenda at the next trade meeting on 5 December 2019.

**Assistant Director Administration
Democratic and Electoral Services**

Contact Officer Name:

Telephone No.

Email Address:

Financial Implications:

Environmental Implications:

Legal Implications:

Community Safety Implications:

Human Rights Implications:

Background Papers:

Ward(s) and Ward Councillors:

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None

None

Any decision taken on the implementation of a new policy could be judicially reviewed within 10 weeks to the Administrative Court.

Control and regulation of the private hire and hackney carriage trade ensures the safety of the public and other road users.

None

Appendices

Not ward related