

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

20/7/2015

WARDS: All

REVISIONS TO TAXI LICENSING PRACTICES FOLLOWING DEREGULATION ACT 2015

1 INTRODUCTION

- 1.1 The Deregulation Act 2015 introduces three changes to taxi legislation, which come into effect on 1st October 2015. This report explains the changes, the implications for the Council's Hackney Carriage and Private Hire Licensing Policy and makes recommendations for revisions to the policy.

2. RECOMMENDATIONS

- 2.1 Members are asked to adopt a policy:
- a. to issue licences for hackney carriage drivers, private hire drivers and dual driver licences for an initial period of one year and, thereafter, to offer drivers wishing to renew their licences to do so for a period of three years or one year and
 - b. to issue private hire operator licences for an initial period of one year and, thereafter, to renew licences for five years.
- 2.2 Members are asked to note the change in the law related to sub-contracting of private hire bookings across district council boundaries, as set out in Section 3 of this report.

3. BACKGROUND

- 3.1 The changes to taxi legislation introduced by the Deregulation Act 2015 are as follows:
- a. Drivers' licences for hackney carriages (HC) and private hire vehicles (PHV)

A requirement that every licence granted to a person to drive either a private hire vehicle or a hackney carriage shall remain in force for three years from the date of such licence or for such lesser period, specified in the licence, as the council think appropriate in the circumstances of the case.

b. Licensing of operators (PHO) of private hire vehicles

A requirement that every operator's licence granted shall remain in force for five years or for such lesser period, specified in the licence, as the council think appropriate in the circumstances of the case.

c. Sub-contracting of private hire journeys across district council borders

This removes the current prohibition on a private hire operator (PHO) licensed in one district subcontracting a booking to an operator licensed by another district.

- 3.2 In Cambridge, driver licences are currently issued for one year following first grant, once the applicant has satisfied all elements of the assessment process. This allows newly licensed drivers to demonstrate that they are fit and proper people to hold a licence and for the Council to monitor any issues which may be highlighted. Thereafter, drivers have the option of renewing their licence for either three years or one year.
- 3.3 Officers may decline to renew for more than one year, if there are concerns regarding the conduct of a driver, subject to a right of appeal to Members at a taxi regulatory sub-committee hearing.
- 3.4 Officers are suggesting that this should remain the Council's policy.
- 3.5 In Cambridge operator licences are currently issued on an annual basis and the Council can inspect the operator's premises and records to monitor any issues highlighted.
- 3.6 Officers are suggesting that new operator's licences should be issued for one year and that, provided that no issues are identified, that renewals should be for a period of five years.
- 3.7 Officers may decline to renew for more than one year, if there are concerns regarding the conduct of an operator, subject to a right of appeal to Members at a taxi regulatory sub-committee hearing.
- 3.8 In the case of both driver and operator licences, if officers have concerns, at any stage during the life of a licence, about licence

holders being fit and proper persons to continue holding licences, the Licensing Sub-Committee can be asked to consider whether a licence should be suspended, or revoked or whether it should not be renewed, following a hearing.

- 3.9 In respect of cross border hirings, at present the position is that private hire operators must only fulfil bookings using drivers and vehicles both of which are licensed by the same authority as they, as operator, are licensed.
- 3.10 From 1st October 2015, operators may seek to sub-contract bookings to an operator licensed by a different council. However, that operator may only fulfil the booking by using drivers and vehicles also licensed by the authority with which it is, itself, licensed.
- 3.11 Sub-contracting of private hire bookings is not a matter on which the Council can make policy, but is for Members to note.

4. **CONSULTATIONS**

- 4.1 As the report reflects the changes enacted by legislation, no formal consultation has been undertaken.

5. **OPTIONS**

- 5.1 Members may:
 - a. adopt the proposals in the recommendations at Section 2 of this report or
 - b. determine to adopt an alternative policy, having given reasons for doing so.

6. **CONCLUSIONS**

- 6.1 Members are asked to adopt the proposals as set out in Section 2 of this report.

7. **IMPLICATIONS**

(a) **Financial Implications**

None for the Council, but potential savings for drivers and operators where licences are not renewed as frequently.

(b) **Staffing Implications**

There should be no significant staffing implications

(c) **Equal Opportunities Implications**

Nil

(d) **Environmental Implications**

Nil

(e) **Consultation and communication**

Nil

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Deregulation Act 2015 (Sections 10 and 11)

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