

**Meeting:** General Purposes  
Portfolio Area: Health and E-Government  
**Date:** 13<sup>th</sup> August 2005

## TAXI LICENSING CONDITIONS

### (ENVIRONMENTAL HEALTH AND LICENSING)

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#### **1 PURPOSE**

To amend the local standard conditions applied in respect of the licensing of Taxis.

#### **2 RECOMMENDATIONS**

That the local standard conditions applicable to Hackney Carriages and Private Hire Vehicles are amended as follows:

##### Hackney Carriage and Private Hire Vehicle Drivers

The applicant must be able to demonstrate their competence to drive. This may include a requirement for the applicant to give consent for information to be supplied by their insurance company in respect of details of any road traffic incidents. In addition the applicant must have held a full driving licence, to drive a car, for a period of at least two years prior to the date of application. (Sections 4.4 & 4.6)

##### Driver Knowledge Tests

In order to pass the Knowledge Test, drivers must attain a score of at least 80% in relation to each of the individual elements of the test. (Section 4.3.3)

##### Taximeters

All Hackney Carriages shall be fitted with a 'Calendar compliant meter', which shall be sealed to prevent tampering. (In relation to existing vehicles, this requirement shall apply to all vehicle license renewals issued after 30<sup>th</sup> June 2007.)

#### **3 BACKGROUND**

The Council license Hackney Carriage Vehicles and drivers, Private Hire vehicles and drivers, together with fleet operators. In addition to the specific legislative requirements, local standards are applied by local regulations. It has been many years since these standards have been reviewed, and comprehensive work is required in order to ensure that they meet modern standards. Whilst this work is on going there are some areas that require urgent attention on the basis of their impact upon public safety and the prevention of crime and disorder.

## **4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS**

The legislation requires that taxi drivers have a minimum of two years' experience on a full licence, although this is a little ambiguous. The Council was challenged recently on the interpretation of what was meant by the term "full licence", and unfortunately lost the case before the Magistrates' Court.

Rather than embarking upon an expensive appeal it is proposed to rectify this issue by amending our local standards, introducing a minimum period of experience of two years. Consideration was also given to introducing a minimum age of say 21 on the basis that insurance companies consider that such individuals pose a higher risk and impose higher premiums. The recent guidance from the Department for Transport however, advises against blanket age limits. It is therefore proposed to include reference to competence, in order to enable the insurance companies of applicants to be approached or other enquiries to be made.

The knowledge test is also used to establish the competence of drivers. The current test is fundamentally flawed in that the marking scheme is not accurately defined. As a consequence drivers have been able to pass this test by solely answering the Highway Code and location questions rather than answering questions about routes. An overall average of 70% is currently required to pass. It is proposed to amend the test to require that 80% is achieved in each of the individual elements of the test, namely Highway Code, knowledge of routes, locations of streets and local landmarks. A further section on legal requirements is to be added shortly and a computer package is to be introduced to improve these arrangements.

There is also concern about the potential for fraud in respect of some meters contained within hackney carriages. This is on the basis that some of the meters are not tamper-proof and tariffs can be adjusted by a driver. It is proposed to introduce calendar meters that are sealed tamper-proof units that automatically apply late night and other calendar related tariff surcharges.

Consultation took place in November 2004 in respect of these and other proposed changes to Taxi Licensing arrangements. This involved representatives from the trade, the Police, the County Council, the travelling public, and groups representing residents who were disabled.

## **5 IMPLICATIONS**

### **5.1 Financial Implications**

None

### **5.2 Legal Implications**

**In relation to the licensing of hackney carriages the Council can attach such conditions as they consider appropriate. In relation to the licensing of hackney carriage and private hire vehicle drivers the Council can attach such conditions, as they consider reasonably necessary.**

### **5.3 Community Safety Implications**

The measures outlined in this report will have a positive impact upon public safety and the prevention of crime and disorder.

### **5.4 Other Corporate Implications**

None

## **BACKGROUND DOCUMENTS**

- Local Taxi Standards
- Draft Best Practice Guidance issued by the Department for Transport