

South Somerset District Council - Taxi Licensing Policy

Introduction

We are currently consulting on the draft of a new Taxi Licensing Policy for South Somerset. The final draft will be approved by the Licensing Committee and then the Full Council.

The consultation process will run from noon 31st October 2013 until midnight on 31st December 2013. All responses must be received by the Licensing Team at South Somerset District Council by midnight on 31st December 2013, responses received after that time will not be considered. Anonymous responses will not be considered, and we will not publish respondent's details apart from their surname or their company name.

In order to make the consultation process as comprehensive as we can we have produced this survey. We hope it helps all parties in making their comments on the draft Taxi Licensing Policy. Comments are welcomed from any person or business that believes that the Policy may impact on them. This could include individuals and businesses directly or indirectly connected with the taxi and private hire trades; the general public, organisations and businesses that use these services and other statutory bodies involved in the regulation of those licensed.

If you support a proposal please tell us, and equally if you do not like a proposal we need to know that too, explaining your thoughts in both instances will help us gauge opinion regarding our proposals. If you do disagree with a proposal, please let us know how we might improve it.

All responses received through the consultation process will be summarised for the Licensing Committee, and then for the Full Council when they consider the approval of the final draft of this policy; but all responses will be available to view in full by the Licensing Committee in hard copy prior to their consideration of this matter.

The main issue referred to in each proposal has the section number or paragraph number given for ease of reference in locating the details within the policy itself.

Length of Driver's Licence (Para 5.8)

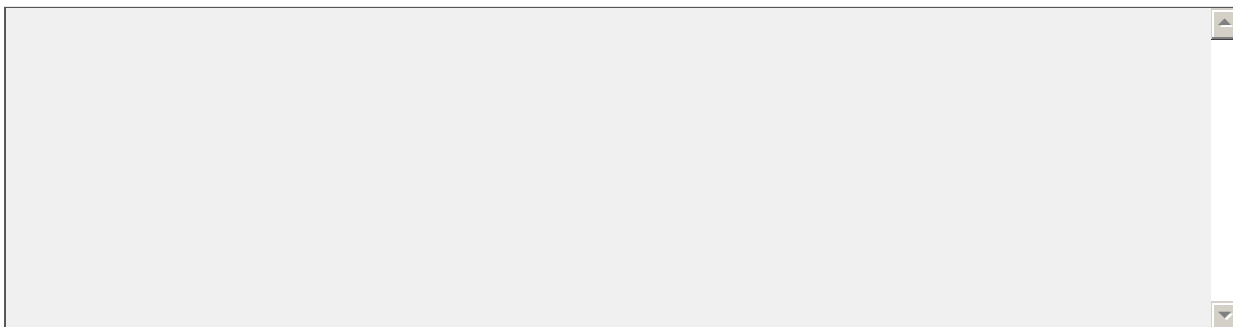
It is proposed that driver's badges are issued for a period of 3 years, rather than 1 year, 2 years or 3 years as under the current system. This will reduce the burden upon drivers of having to renew their badge annually.

1. Do you agree with this proposal

Yes

No

Comments



Disclosure & Barring Service Checks (DBS) (Para 5.39)

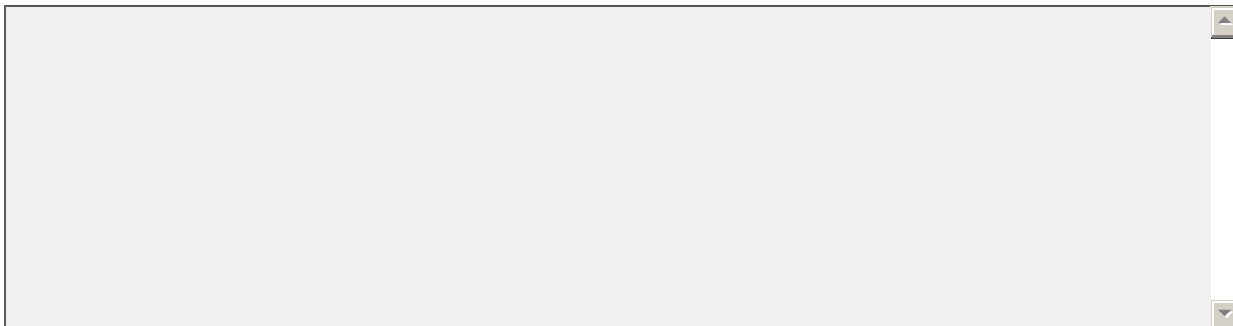
SSDC currently check drivers' criminal records on initial application then every 3 years. It is proposed that these checks remain at 3 yearly intervals.

2. Do you agree that these checks should be carried out every 3 years

Yes

No

Comments



3. Are you an existing driver

Yes

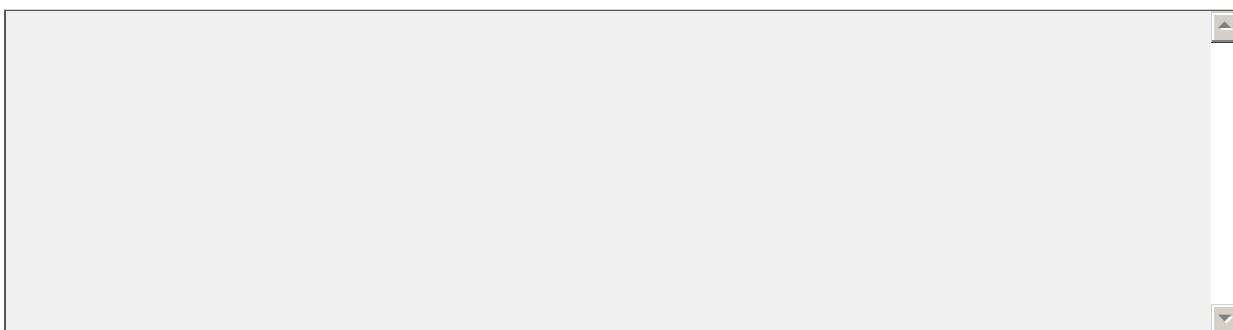
No

4. Are you happy for SSSDC to access your DBS check online more frequently where you have subscribed to the DBS Update Service, and you have given us a signed mandate to do so

Yes

No

Comments



DVLA Licence Checks (Para 5.89)

It is proposed that SSSDC will check DVLA records to ensure that driving licence details are accurate and that the licence is still valid. This will be a requisite of a licence application and a signed mandate will be required allowing SSSDC to access driver records

5. Do you agree with this proposal

Yes

No

Comments

Knowledge Test (Para 5.115)

SSDC is proposing that prior to submitting an application for a hackney carriage/private hire drivers licence a knowledge test must be passed

6. Do you agree with this proposal

Yes

No

7. Do you agree that the following question categories should be included in the knowledge test

	Yes	No
Highway Code	<input type="checkbox"/>	<input type="checkbox"/>
Local Topography	<input type="checkbox"/>	<input type="checkbox"/>
Taxi Law	<input type="checkbox"/>	<input type="checkbox"/>
Drivers Etiquette	<input type="checkbox"/>	<input type="checkbox"/>
English Comprehension	<input type="checkbox"/>	<input type="checkbox"/>
Basic Numeracy	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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8. Are there any other question categories that should be included in the knowledge test, if so what should they be

Public Liability Insurance (Para 5.145)

9. Do you agree that SSDC should request a copy of drivers' Public Liability insurance as part of the application process

Yes

No

Comments

Out of Area Working (para 6.24)

When an applicant wishes to license a vehicle as a hackney carriage the Council will require information as to whether the applicant intends to use the vehicle to stand or ply for hire in the South Somerset District or whether the applicant intends to use the vehicle entirely or predominately remotely from South Somerset.

If the Council believes that the vehicle is to be used entirely or predominately remotely from South Somerset District Council's area on a pre-booked basis, then the application for a licence will normally be refused.

10. Do you agree with this approach

Yes

No

Comments

Accessibility of Vehicles (Para 6.30)

SSDC is proposing that as hackney carriages can be hired on the spot/in the street by customers dealing directly with the driver, the licensing authority believes that anyone should be able to hire a hackney carriage on approach of

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the driver with the minimum delay or inconvenience. For this purpose it is proposed that all hackney carriages should be accessible to disabled people.

11. Do you agree that all hackney carriages should be wheelchair accessible

Yes

No

12. If you don't agree that all hackney carriages should be wheelchair accessible, what percentage do you think should be

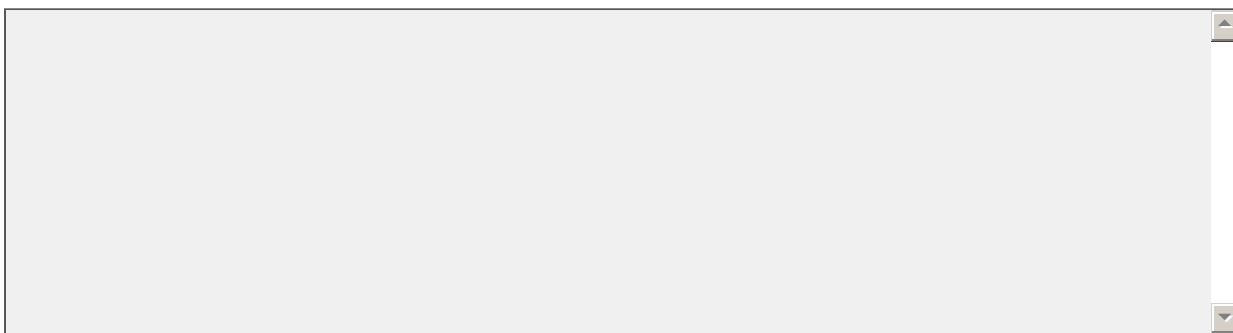
75%

50%

25%

10%

Comments



Age of Hackney Carriage Vehicles (Para 6.40)

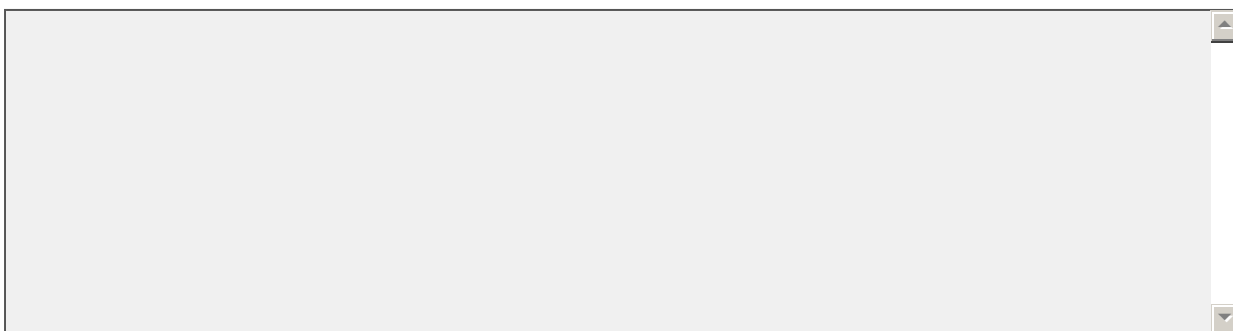
It is proposed that a vehicle will only be licensed as a hackney carriage vehicle for the first time, if it is a brand new vehicle. There is no age beyond which the vehicle will not be licensed provided it passes annual SSDC and MOT test requirements.

13. Do you agree that only new vehicles should be licensed as hackney carriages

Yes

No

Comments



Hackney Carriage Vehicle Emissions (para 6.42)

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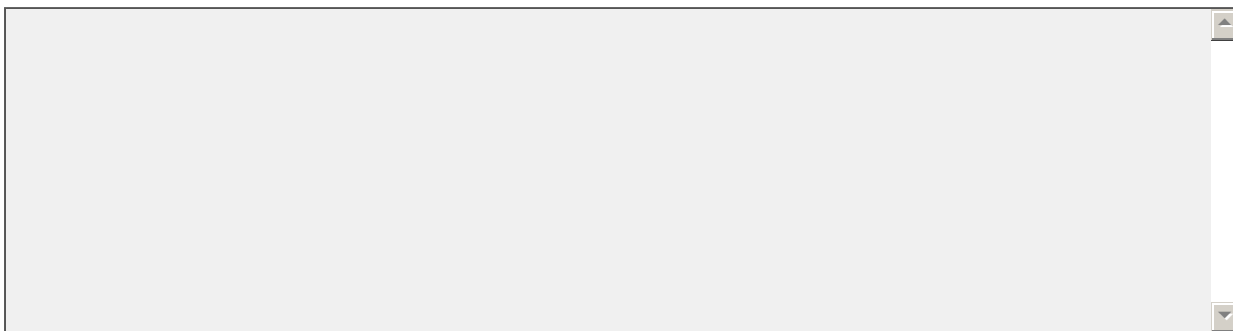
In recognition of the Council's wider role, the licensing authority will normally seek to promote and encourage vehicle proprietors to offer well maintained, sustainable, environmentally friendly and efficient taxi vehicles. To this end it is proposed that vehicles will have to comply with the relevant extant European Emission Standard on application.

14. Do you agree with this proposal

Yes

No

Comments



Additional MOT requirements (Para 6.97)

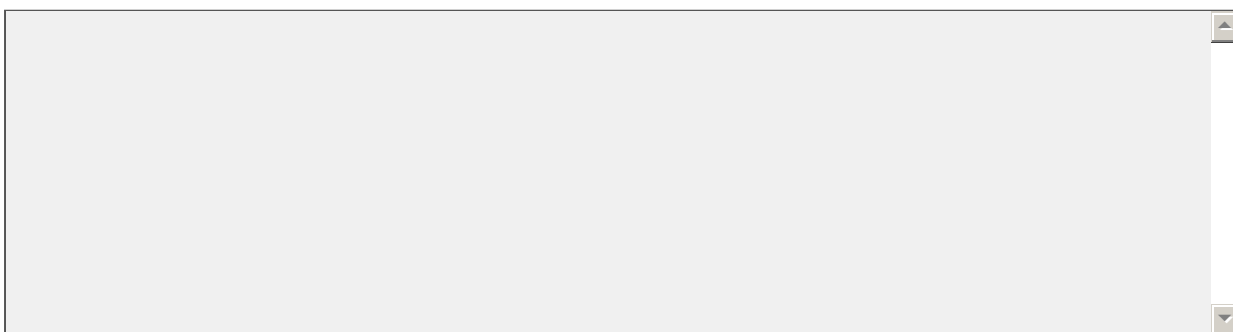
In recognition of the high use and high mileage to which hackney carriages and private hire vehicles are subject to, it is proposed that additional MOT's will be required based upon the vehicles total and annual mileage figures.

15. Do you agree with this proposal

Yes

No

Comment



Taxi Meter Calibration Certificates (Para 6.119)

Currently SSDC test taxi meters manually by measuring their accuracy over a measured mile. It is proposed that in the new policy this practice will cease. Installers of meters will be required to complete a meter calibration certificate to confirm that they have calibrated the meter accurately to SSDC's tariff of fares and that they have sealed the meter to prevent tampering.

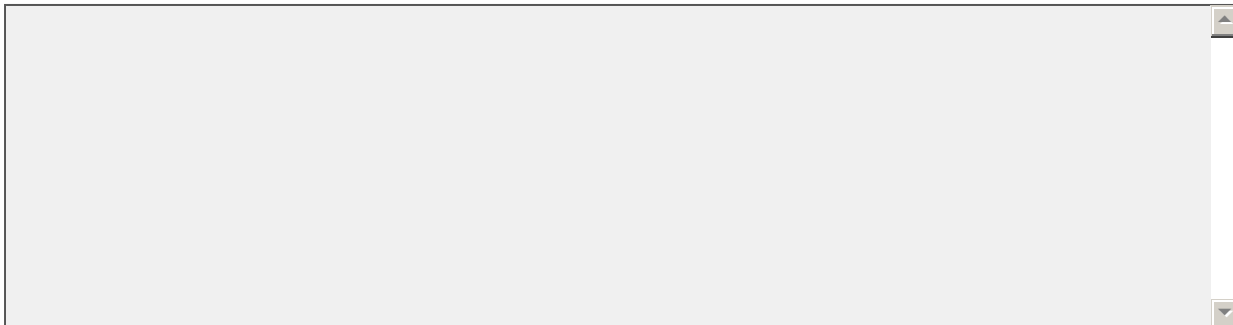
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16. Do you support this proposal

Yes

No

Comment



Disclosure & Barring Checks for Operators (7.12)

Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 states that the licensing authority cannot grant a private hire operator's licence unless satisfied that the applicant is a "fit & proper" person to hold such a licence.

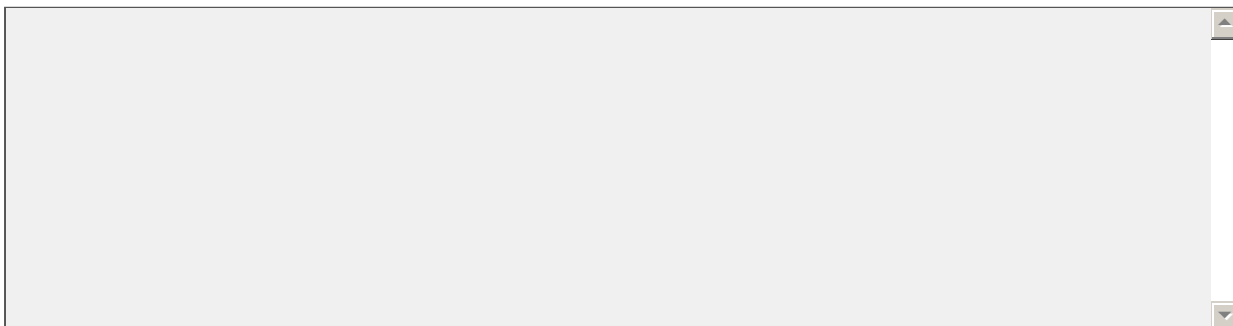
Although an operator does not drive members of the public (unless also holding a private hire driver's licence), the operator will be in possession of information about people's movements, whereabouts and property. As a result, the licensing authority believes that the need for operators to be "fit & proper" and the standards to be applied are just as important as those for drivers.

17. Do you agree that private hire operators should be subject to a criminal records check.

Yes

No

Comment



Policy on Convictions (Appendix C)

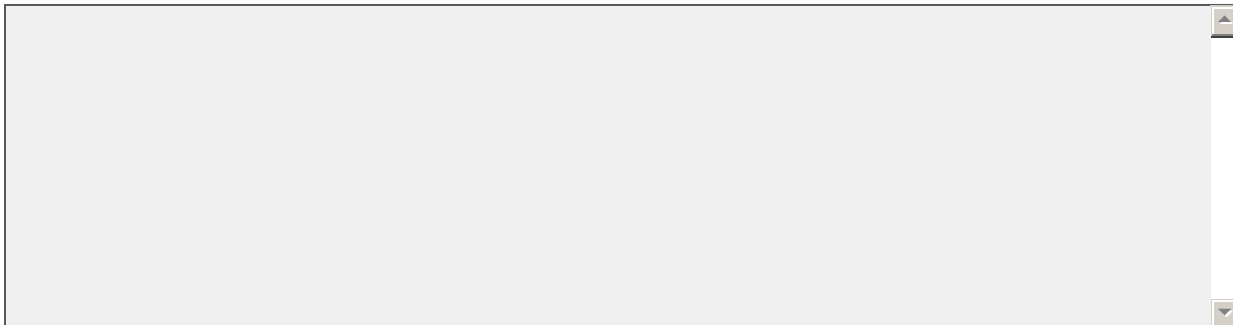
This section contains the policies and guidelines which the authority will normally use to determine the relevance of convictions, cautions and other known issues concerning those holding or seeking to apply for a hackney carriage/ private hire drivers or operators licence.

18. Do you agree with the policy on relevance of convictions

Yes

No

Comment



Standard Conditions (Appendix E)

Conditions include any terms, limitations or restrictions attached to a licence and are essentially the steps that a licence holder will be required to take or refrain from whenever acting in the capacity of a licensed driver, operator and/or when using otherwise providing a licensed vehicle.

The Licensing authority will seek to avoid disproportionate and/or over burdensome conditions wherever reasonably practicable and will, where it is entitled to do so, normally seek to ensure that conditions-

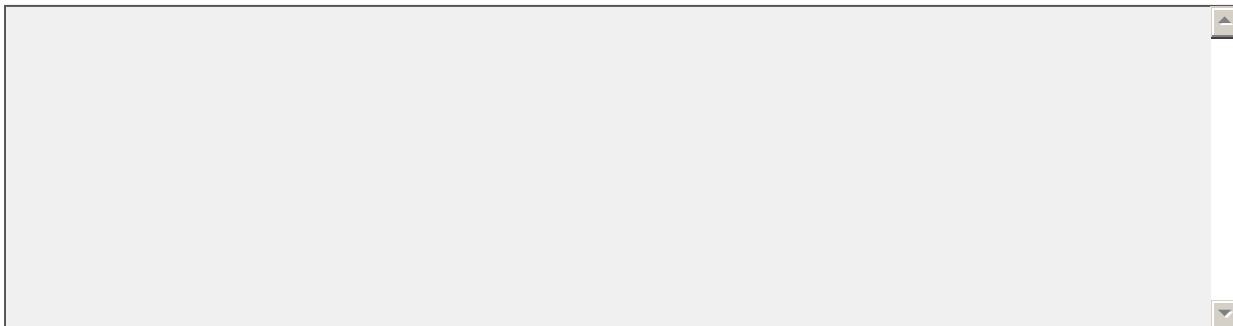
- a) are only imposed where legal authority exists to do so;
- b) are reasonable;
- c) are proportionate to any risks/problems identified;
- d) directly relate to any harms being addressed;
- e) are consistent in the circumstances;
- f) are capable of being complied with by the relevant licence holder;
- g) do not unjustifiably duplicate the requirements of other legislation.

19. Do you agree that it is necessary to impose conditions on a licence in order to ensure that minimum standards are met

Yes

No

Comment

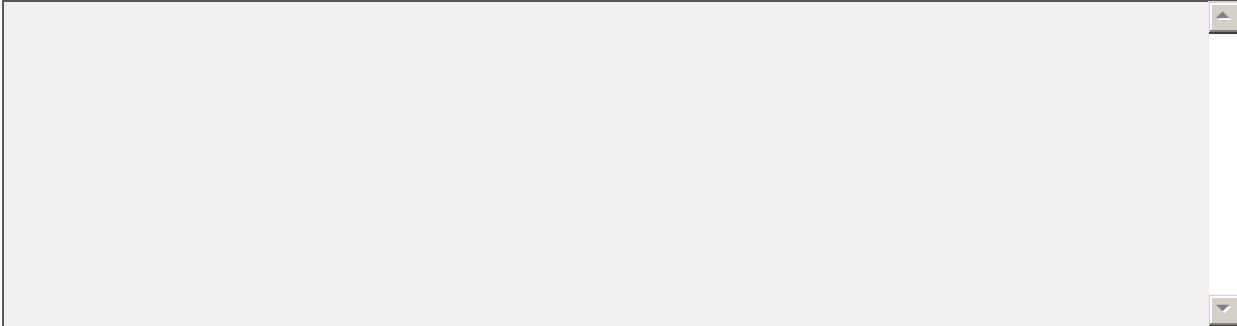


20. Do you think that the standard pool of conditions is comprehensive enough

Yes

No

Comment

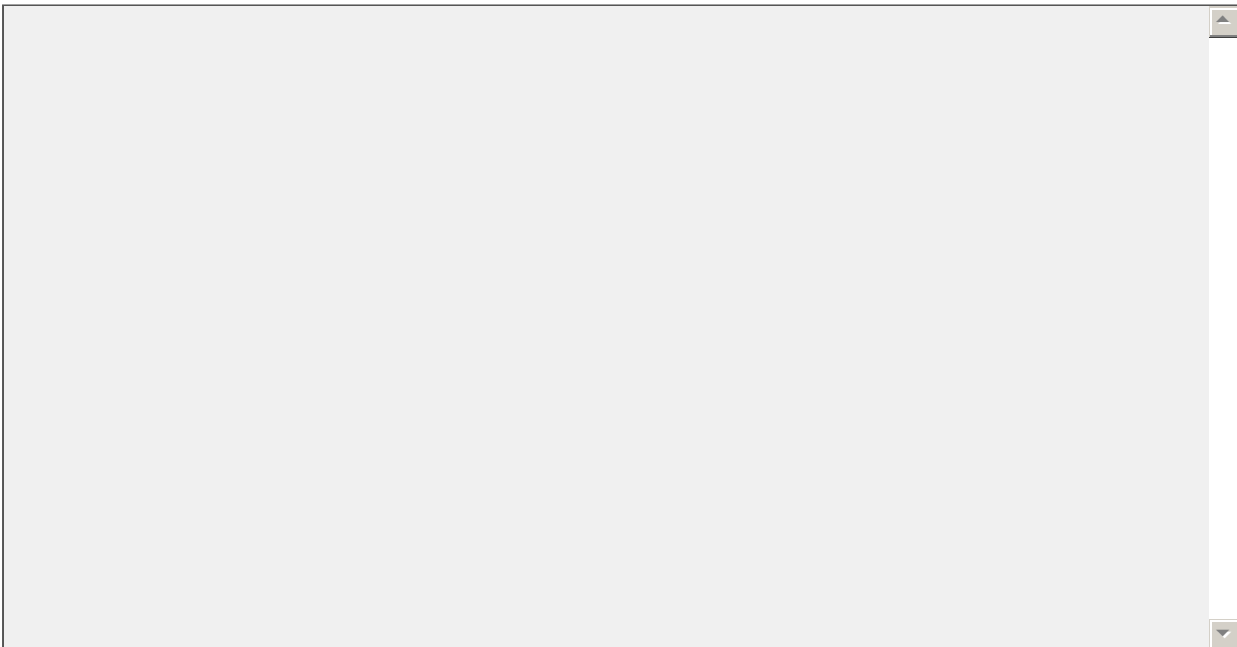


21. Are there any other conditions that you feel should be added to the list, if so please outline what they are in the comments box below

Yes

No

Other (please specify)



Penalty Points Scheme (Appendix G)

It is proposed that taxi enforcement will be enhanced by the introduction of a penalty points scheme.

There is no direct financial penalty associated with the penalty point scheme, and the licensee may continue to work. However the licensee may be asked to appear before the Licensing Committee where 12 or more penalty points are imposed on an individual licence in any one 12 month rolling period, where appropriate action will be taken under this policy.

22. Do you agree with this approach

Yes

No

Comment

23. Are there any other issues that you feel should be included within the penalty points scheme

Yes

No

Comment

Enforcement

SSDC currently has one dedicated enforcement officer, who covers all types of licenses.

24. Do you feel that this is adequate

Yes

No

25. If it were possible to increase the amount of enforcement officer time available would you support this

Yes

No

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26. If the additional enforcement officer time came at an increased vehicle licence cost, how much extra would you consider reasonable in order to pay for this

- £10
- £20
- £30
- £40
- £50
- more than £50

Comment

27. At what times do you feel that additional enforcement is required.

	08.00hrs to 12.00hrs	12.00hrs to 16.00hrs	16.00hrs to 20.00hrs	20.00hrs to 24.00hrs	24.00hrs to 04.00hrs	04.00hrs to 08.00hrs
Monday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tuesday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wednesday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thursday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Friday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Saturday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sunday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comment

Equalities Monitoring

Please only complete this section if you are responding as an individual.

We collect this information to build up an accurate understanding of the communities that we serve so that services

and policies can be delivered to meet the needs of everybody.

please feel free to leave out any questions that you do not wish to answer. All information gathered in this section of the questionnaire is confidential.

28. What is your gender?

- Female
- Male
- Prefer not to say

29. Is your gender identity the same as the gender you were assigned at birth

- Yes
- No
- Prefer not to say

30. How old are you

- 0 to 17
- 18 to 24
- 25 to 34
- 35 to 49
- 50 to 64
- 65 to 74
- 75+
- Prefer not to say

31. Do you consider yourself to have a disability?

- Yes
- No
- Prefer not to say

32. what is your disability

- Mental Health
- Hearing Impairment
- Sight Impairment
- Physical Disability
- Learning Disability
- Other Disability (please tell us what this is in the comment box below)

Comment

33. What is your religion or belief

- None
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- Buddhist
- Prefer not to say

Other (please specify)

34. Do you provide care for anyone (e.g a parent, child or other relative, friend who has any form of disability, long term or terminal illness

- Yes
- No (please skip question 35)

35. What is their disability

- Mental Health
- Hearing Impairment
- Sight Impairment
- Physical Disability
- Learning Disability
- Other

Other (please specify)

36. How would you describe your ethnic background or identity?

- English/Welsh/Scottish/Northern Irish
- Irish
- White Central & Eastern Europe
- European other
- Gypsy/Roma/Irish Traveller
- Any other white background (please specify)
- Caribbean
- African
- Any other black background (please specify)
- Dual or multiple heritage
- Any other mixed background (please specify)
- Bangladeshi
- Indian
- Pakistani
- Any other Asian background (please specify)

Other (please specify)