Public Document Pack



Licensing and Public Safety Committee

Tuesday, 8th March, 2022, 6.00 pm

Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

Agenda

1 Apologies for Absence

2 Declarations of Interest

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Member's Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgement of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

Minutes of the Licensing and Public Safety Committee

3	Minutes of meeting Wednesday, 5 January 2022 of
	Licensing and Public Safety Committee

(Pages 3 - 6)

The minutes of the last meeting held Wednesday, 5 January 2022 are attached to be agreed as a correct record for signing by the Chair.

4 Consultation Feedback - Vehicle Age Policy

(Pages 7 - 16)

Report of the Director of Planning and Development attached.

5 Consultation Feedback - Single Use/Restricted Private Hire Licence

(Pages 17 - 26)

Report of the Director of Planning and Development attached.

6 Consultation Feedback - Request for Taxi Tariff Increase

(Pages 27 - 32)

Report of the Director of Planning and Development attached.

7 Statutory HMRC Checks for Taxi/Private Hire Driver Applications

(Pages 33 - 38)

Report of the Director of Planning and Development attached.

Gary Hall Chief Executive

Electronic agendas sent to Members of the Licensing and Public Safety Committee Councillors James Flannery (Chair), Renee Blow (Vice-Chair), Jacky Alty, Jane Bell, Julie Buttery, Derek Forrest, Keith Martin, Jacqui Mort, Peter Mullineaux, Alan Ogilvie, John Rainsbury and Paul Wharton-Hardman

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings 6.00 pm Tuesday, 7 June 2022 - Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH



Minutes of Licensing and Public Safety Committee

Meeting date Wednesday, 5 January 2022

Committee members

present:

Councillors James Flannery (Chair), Renee Blow (Vice-Chair), Keith Martin, Jacqui Mort, Peter Mullineaux,

Alan Ogilvie, John Rainsbury and Paul Wharton-Hardman

Committee members attended virtually (non-

voting):

Councillor Julie Buttery

Officers present: Tasneem Safdar (Shared Legal Services Team Leader),

Chris Ward (Interim Licensing Team Leader), Coral Astbury (Democratic and Member Services Officer) and Stephanie

Newby (Licensing Officer)

Other attendees: Councillors Bill Evans, Jon Hesketh, Phil Smith,

Mick Titherington, Karen Walton and Barrie Yates

Public: 17

9 Apologies for Absence

Apologies were received from Councillors Jacky Alty, Jane Bell and Derek Forrest.

Councillor Colin Sharples attended as a substitute for Councillor Forrest.

10 Declarations of Interest

There were no declarations.

11 Minutes of meeting Tuesday, 7 December 2021 of Licensing and Public Safety Committee

Resolved: (Unanimously):

That the minutes of the last meeting held Tuesday, 7 December 2021 were approved as a correct record for signing by the Chair.

12 Request For Taxi Tariff Increase

The committee received a report of the Director of Planning and Development which sought to inform members about a request from the Taxi Drivers of South Ribble for a tariff increase. Members were asked to consider the proposed request for an increase in the taxi tariff set by the licensing authority and to agree the licensing section to undertake a consultation exercise with stakeholders.

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The Interim Licensing Team Leader explained that a request had been received from the South Ribble Taxi Driver's Association asking for fares to be reviewed and increased to the following:

- Flag Drop increase by £0.50p across tariffs T1 to T3
- Soiling Charge to be increased from £40 to £100 to take into consideration time off road until the vehicle is cleaned
- Waiting time to increase from £0.10p every 30 seconds to £0.10p every 20 seconds, enabling drivers to keep the running mile at £2 after the first mile and the flag drop to a 50p increase

The Interim Licensing Team Leader explained that fares had not been increased since 2015 and recent factors such as, cost of living, cost of recent fuel increases and second-hand vehicle cost increases meant that it was an appropriate time to review fare charges.

In response to a member enquiry, it was confirmed that the consultation would be advertised in the local newspaper as part of the consultation period, on the website for members of the public and all members of the trade would be consulted on the proposed increases.

Members noted the proposed increases and agreed that it was the right time to review fares. Members considered and discussed several factors affecting the trade such as, the increase in inflation and the cost of living, there had been no increase since 2015 and the impact of the COVID19 pandemic on the trade.

Members also noted the need to protect vulnerable residents to ensure that increasing fares would not cause a detrimental effect.

Several members of the trade addressed the committee and explained the reasons behind requesting an increase of fares. The cost of living had increased along with the increase in cost to renew plates, but drivers had not seen any increase in wages since 2015 and due to COVID work was continually becoming less each week. The trade advised that several drivers had left the profession to work for food delivery services such as Uber as they were paid better.

The trade explained that they requested the soiling charge to be raised to £100 to take into consideration the time they are kept off the road. If a vehicle was soiled in an evening the driver would have to stop work and return home and wait until morning till the vehicle could be cleaned. The £100 was a figure which had been considered carefully and drivers had tried to keep the increase to a minimum.

The trade were mindful of the fee increases on the vulnerable groups and the impact of COVID on the community and advised they had taken this into consideration when requesting the fare increases.

Members thanked the trade for attended and expressed appreciation for the work that the trade do and advised that they could contact Officers should they have any further questions.

Resolved: (Unanimously)

3

- 1. The committee note the contents of the report.
- 2. The committee considered the proposed request for an increase in the taxi tariff set by the licensing authority.
- 3. The committee agree that the licensing section undertake a consultation exercise with stakeholders on the proposed changes to the Hackney Carriage Table of Fares.
- 4. To receive a report on the outcome of the consultation exercise at a future meeting.

Chair Date





Report of	Meeting	Date
Director of Planning and Development	Licensing and Public Safety Committee	Tuesday, 8 March 2022

Consultation Feedback Report - Vehicle Age Policy

Is this report confidential?	No
Is this decision key?	Not applicable

Purpose of the Report

1. The purpose of the report is to provide feedback on the consultation carried out in response to the intended policy amendments, with regards to the age of vehicles licensed by this authority.

Recommendations

- 2. Note the content of the report
- 3. Consider the consultation responses.
- 4. If members are minded accepting the proposal to the Vehicle Age Policy and the Licensing of new hackney carriage vehicles, then forward this report to the next meeting of the Council with a recommendation for formal adoption of the proposed policies.

Other options considered and rejected

5. There are no other options to consider within the report, the age policy is due for renewal, 4 options included a remain unchanged options have been considered and proposed by officers as the best options to take.

Corporate priorities

6. The report relates to the following corporate priorities: (please bold all those applicable):

An exemplary council	Thriving communities

A fair local economy that works for	Good homes, green spaces, healthy
everyone	places

Background to the report

- 7. A detailed report presented to members of the Licensing and public safety committee on 07/12/2021, advised members that the Vehicle age policy and the licensing of Hackney carriage vehicles policy, were due for renewal in 2019.
- 8. Officers explained that various efforts had been made to renew the policy, but due to Air pollution concerns subsequently raised by Environmental Health, had led to a difference of opinion between Members, on how to progress this issue at full council.
- 9. Officers explained that the current policy does not fall in line with the commitments of the council with regards to air quality, and that the only current incentive to our licensed drivers, is to buy wheel chair accessible vehicles that statistics state are more polluting and do not meet the requirements of euro 6.
- 10. When researching the market for hybrid or electric type vehicles, Officers have found more cost-effective options available to drivers for saloon type vehicles, and very little if any at all cost-effective vehicles for wheel chair accessible hybrid or electric vehicles.
- 11. The committee were given an example that, the current policy will permit a hybrid Toyota Prius to be licensed as a new private hire vehicle up to 4 years old and then remain licensed up to 8 years old. Whereas a transit van that has been adapted to the needs of a wheelchair user could be licensed up to 6 years old and stay licensed until it is 12 years old.
- 12. It's quite clear that a transit van is going to be a higher polluting vehicle than a hybrid Toyota Prius, yet the current incentive would be to purchase a transit van.
- 13. A commitment was made in the 2019/2020 Licensing work plan to revisit the age policy with particular emphasis on vehicle emissions.
- 14. Officers advised that to fall in line with the councils pledges regarding air quality, the taxi licensing policy for new vehicles licensed on the fleet should meet Euro 6 standard at the very least or above.
- 15. Officers are currently reporting that operators from neighbouring boroughs have been obtaining Private Hire Operator licences from SRBC and then sub contacting work from South Ribble over to their offices in Preston, Chorley, Blackburn etc where it is much easier to licence a vehicle due to no/limited age restriction, to use Preston, Chorley, Blackburn vehicles to perform the work, in an older more polluting vehicle than we currently licence. This makes a mockery of our age policy and SRBC Licensing Officers have very little enforcement powers over.
- 16. Euro 6 Applies to all new cars registered from 1 September 2015
 - Benefits: A 67% reduction in the permissible levels of nitrogen oxides in diesels and the introduction of a particle number limit for petrol's.

- Euro 6 emissions limits for petrol CO: 1.00g/km HC: 0.10g/km NOx: 0.06g/km PM: 0.005g/km PM: 6.0x10 ^11/km
- Euro 6 emissions limits for diesels CO: 0.50g/km HC + NOx: 0.17g/km NOx: 0.08g/km PM: 0.005g/km PM: 6.0x10 ^11/km
- 17. An incentive for more low polluting, extremely low CO2 emitting vehicles is required within the SRBC Taxi licensing policy.
- 18. As of November 2019, the licensed fleet of hackney carriage and private hire vehicles, consisted of 256 licensed vehicles. 89 vehicles did not meet the EU standards for emissions, out of the 89, 76 were wheel chair accessible vehicles.
- 19. At the meeting of the 07/12/2021, The following new options were proposed to members to take to consultation of the trade.

Option 1 Keep as it is - make no changes.

20. The Council will where appropriate, issue Hackney Carriage Licences to vehicles which;

Type of Vehicle	Maximum Age When First presented for Licensing
Purpose built taxis (i.e. Peugeot E7, Euro taxi) wheelchair accessible vehicles	6 Years
All other vehicle types (hatchback saloon, estate etc)	4 Years

21. Vehicles which have been continuously licensed by South Ribble, will no longer be eligible for renewal once pass the following ages;

Type of Vehicle	Maximum Age vehicles Can Be licensed Until
purpose built taxis (i.e. Peugeot E7, Euro taxi) wheelchair accessible vehicles	12 Years
All other vehicle types (hatchback saloon, estate etc)	8 Years

Option 2 Reduce all vehicles to the same age. (4 and 8).

- 22. Reduce all vehicles to fall in line, remove the option for wheelchair accessible vehicles to be able to be licensed for up to 6 years of age when first licensed, also removing the option for them to stay on for the extra 4 years up to 12 years of age.
- 23. All vehicles would only be licensed if the vehicle was under 4 years of age when first licensed and to remain on the fleet until 8 years.
- 24. The Council will where appropriate, issue Hackney Carriage Licences to vehicles which;

Type of Vehicle	Maximum Age When First presented for
	Licensing

Maximum Age When First presented for	4 Years
Licensing	

25. Vehicles which have been continuously licensed by South Ribble, will no longer be eligible for renewal once pass the following ages;

Type of Vehicle	Maximum Age vehicles Can Be licensed Until
All vehicle types (hatchback saloon, estate etc) and purpose-built taxis (i.e. Peugeot E7,	
Euro taxi) wheelchair accessible vehicles	

Option 3 Have a blanket policy all vehicles for 5 years on and 10 years off the fleet

- 26. Reduce the allowance on wheel chair accessible vehicles and increase the non-wheel chair saloon vehicles so they can all be accepted up to the age of 5 years of age when first licensed and stay on the fleet until 10 years.
- 27. The Council will where appropriate, issue Hackney Carriage Licences to vehicles which;

Type of Vehicle	Maximum Age When First presented for Licensing
Maximum Age When First presented for Licensing	5 Years

28. Vehicles which have been continuously licensed by South Ribble, will no longer be eligible for renewal once pass the following ages;

Type of Vehicle	Maximum Age vehicles Can Be licensed Until
All vehicle types (hatchback saloon, estate etc) and purpose-built taxis (i.e. Peugeot E7,	
Euro taxi) wheelchair accessible vehicles	

Option 4 Reduce all vehicles to 4 and 8 years. With an option of an extension for non-polluting vehicles that conform to a certain euro rating.

- 29. Reduce all vehicles to 4 years of age maximum when first licence and to be remain licensed until the vehicle is 8 years old, but, if the vehicle passes a set co2 emissions euro rating an option for an extra 2 years older when first licensed (up to 6 years old) and remain licensed until 12 years of age.
- 30. The Council will where appropriate, issue Hackney Carriage Licences to vehicles which;

Type of Vehicle	Maximum Age When First presented for Licensing
All vehicle types (hatchback saloon, estate etc) and purpose-built taxis (i.e. Peugeot E7, Euro taxi) wheelchair accessible vehicles	4 Years
All vehicle types (hatchback saloon, estate etc) and purpose-built taxis (i.e. Peugeot E7, Euro taxi) wheelchair accessible vehicles,	

that has a certain euro rating meeting a set	
level of CO2 emissions	

31. Vehicles which have been continuously licensed by South Ribble, will no longer be eligible for renewal once pass the following ages;

Type of Vehicle	Maximum Age vehicles Can Be licensed Until
All vehicle types (hatchback saloon,	8 Years
estate etc) and purpose-built taxis (i.e.	
Peugeot E7, Euro taxi) wheelchair	
accessible vehicles	
All vehicle types (hatchback saloon,	12 Years
estate etc) and purpose-built taxis (i.e.	
Peugeot E7, Euro taxi) wheelchair	
accessible vehicles, that has a certain	
euro rating meeting a set level of CO2	
emissions	

- 32. The second part of the report presented to the committee on 07/12/2021, identified the changes needed to the grandfather rights policy with regards to licensing new hackney carriage vehicles?
- 33. The main objective of the grandfather rights policy in 2015 was to restrict the amount of saloon hackney carriages and increase the number of wheelchair accessible vehicles operating within South Ribble.
- 34. Since then the only way to licence a new hackney carriage vehicle through South Ribble Borough Council, has been to present a wheel chair accessible vehicle.
- 35. This was the stance of the council in 2015, the fleet consisted of a small amount of wheel chair accessible vehicles and this needed to be address.
- 36. Times have now changed, and the council should be aiming its age policy to promote clean air zones, whilst still meeting its requirements for Wheelchair Accessible Vehicles designated for the purposes of Section 165 of the Equalities Act 2010.
- 37. Current numbers of hackney carriage vehicles are depleting compared to 2015 when the grandfather rights policy was passed.
- 38. New drivers are turning down applying for badges with this authority as they can't obtain a hackney carriage licence for their vehicle.
- 39. Around 14% of the hackney carriage fleet is used by owner drivers, the rest are made up of operators owned hackney carriage vehicles, who are using the remaining 86% to perform mainly private hire pre booked work and some rank work.
- 40. At the meeting on 07/12/2021 officers proposed to member to go out to consultation of the trade with regards to an option to cap the amount of saloon hackney carriage vehicles licensed.

- 41. Officers feel this would increase the number of saloon type vehicles licensed by this authority whilst maintaining a manageable whilst accessible to the public, number of hackney's vehicles operating in the borough.
- 42. Once this agreed set cap has been reached a review could take place. 6 monthly or annual applications for saloon hackney carriage vehicles would be accepted. Drivers would still be able to licence wheelchair accessible hackney vehicles as they please with no cap. The proposed changes required to the Taxi licensing policy with regard to licensing hackney carriage vehicles can be found within background document 1 of this report, titled appendix 4 within that report.
- 43. The proposal of the change from a grandfather rights policy to a capped policy would would create a controlled balance of wheelchair accessible and saloon type vehicles that are greener and compliant with required CO2 levels. Whilst still complying with its obligations under section 165 of equalities act 2010.
- 44. At the meeting of the 07/12/2021, members considered all four options within the report and stated the need for the policy to be flexible.
- 45. The committee considered the evidence submitted within the report and agreed that the licensing section undertake a period of consultation, for all options within the report, with the relevant stakeholders in respect of the proposed options.
- 46. Following the committee approval to consult stakeholders regarding the changes required, a 4-week consultation was conducted which ended 17/02/2022. The consultation highlighted the options proposed by officers to amendment the policy and invited feedback from stakeholders.

Consultation Exercise

- 47. Letters were sent to all drivers and operators.
- 48. Paper consultation forms were provided to every licensed driver, vehicle proprietor and licensed operator.
- 49. The summarised consultation responses are as follows,

Age Policy

Option 1 - Keep as it	Option 2 - Reduce	Option 3 - Have a	Option 4 - Reduce
is - make no changes.	all vehicles to the	blanket policy all	all vehicles to 4 and
	same age. (4 and	vehicles for 5 years	8 years. With an
	8).	on and 10 years off	option of an
		the fleet	extension for non-
			polluting vehicles
		Reduce the	that conform to a
		allowance on wheel	certain euro rating
		chair accessible	for any type of
		vehicles and	vehicle.
		increase the non-	

		wheel chair saloon vehicles so they can all be accepted up to the age of 5 years of age when first licensed and stay on the fleet until 10 years.	Reduce all vehicles to 4 years of age maximum when first licence and to be remain licensed until the vehicle is 8 years old, but, if the vehicle passes a set co2 emissions euro rating (Euro 6) an option for an extra 2 years older when first licensed (up to 6 years old) and remain licensed until 12 years of age.
45	0	3	12

- 50. Of the 45 responses received for option 1 39 responses were received from one operator who solely uses older transit type vehicles to perform school contact work, who benefits from keeping this type of vehicle licensed until they are 12 years old.
- 51. Option 4 received 12 responses of those who mainly were hackney carriage drivers who would benefit from keeping their euro 6 rated low polluting vehicles licence for longer.

Licensing of new Hackney carriage vehicles

Removal of the grandfather rights policy and change to a cap on the number of licensed non wheel chair accessible hackney carriage vehicles.

When the cap is reached the Council will only accept applications for a New Hackney Carriage Vehicle Licence for vehicles which meet the age criteria and are wheelchair accessible.

Yes	No
41	12

52. The consultation response is heavily in favour of changing from a grandfather rights policy to a capped number of licence vehicles.

Proposed options following the consultation exercise

Age Policy

- 53. Officers feel their preferred choice would be option 4 going forward with the policy, this would help meet the departments obligation towards the council's clean air zones commitments.
- 54. The incentive of being able to licence a vehicle for longer if it meets certain euro rating criteria for lower CO2 levels should help to create a fleet of low polluting vehicles and officers feel we would start to see an increase in electric and hybrid vehicles being licensed by drivers. Drivers should find it more affordable to purchase these types of vehicles with less restrictions on age.

Licensing of new Hackney carriage vehicles

- 55. Currently the Council will only accept applications for a New Hackney Carriage Vehicle Licence for vehicles which meet the age criteria and are wheelchair accessible.
- 56. Proprietors in possession of a current Hackney Carriage vehicle licence that was issued to them on or before the 21st October 2014 (GLC minute 2014/20) may apply to replace their vehicle with either a wheelchair accessible vehicle or a non-wheelchair accessible vehicle.
- 57. The policy states the decision will be reviewed in 2019, when the Council will consider whether there is still a balance of vehicles for all taxi users, and thus if the authority is complying with its equality duty.
- 58. The sections to note from the formal unmet demand survey with reference to the licensing of Hackney Carriage vehicles can be found within section 28 of the report from the meeting on 07/12/2021, attached to this report as background document 1.
- 59. Officers feel this is now a good time to review the number of saloon hackney carriage vehicles licensed by this authority and look to cap the number of saloon hackney carriage vehicles licensed to initially 100 vehicles with the delegated power to increase that number given to officers to set as the market demands through evidence of significant unmet demand from the public.
- 60. Thus, helping to ease issues surrounding cross border working and making it easier for "out of town drivers" working within South Ribble to licence a vehicles through this authority and not a neighbouring authority.
- 61. Once this agreed set cap has been reached a review could take place 6 monthly or annually. If the current number of non-wheelchair accessible vehicles is under the cap, then applications for saloon hackney carriage vehicles would be accepted.
- 62. Drivers would still be able to licence wheelchair accessible hackney vehicles as they please with no cap.
- 63. The proposed changes required to the Taxi licensing policy with regard to licensing hackney carriage vehicles can be found within Background document 1 as appendix 4 from the report dated 07/12/2021
- 64. It would create a controlled balance of wheelchair accessible and saloon type vehicles that are greener and compliant with required CO2 levels. Whilst still complying with its obligations under section 165 of equalities act 2010.

Climate change and air quality

The work noted in this report impacts on the following areas of climate change and sustainability targets of the Councils Green Agenda: net carbon zero by 2030, reducing waste production, limiting non sustainable forms of transport, working with sustainable and green accredited companies, limiting or improving air quality, limiting water waste and flooding risks, improving green areas and biodiversity.

Option 4 of the report aims to address the concerns within the councils green agenda, the age policy will be reviewed in the next 3 years and would address the next steps the authority could take to make its vehicles even greener, but this would depend on the infrastructure at that time with regards to vehicles that are available and cost effective to the trade, specifically looking towards changing to a policy for hybrid electric vehicles.

Equality and diversity

Any Equality issues have been summaries within the report, the authority must be aware of its duties to publish a list of wheelchair accessible vehicles as per Section 165 of the Equalities Act 2010, as acknowledges within the report in section 36.

Risk

65. All risk issues have been identified within the body of the report.

Comments of the Statutory Finance Officer

66. There are no significant financial implications of this report.

Comments of the Monitoring Officer

67. The Council has power to licence private hire vehicles under the Local Government (Miscellaneous Provisions) Act 1976 and hackney carriages under the Town Police Clauses Act 1847. Any refusal to grant a private hire vehicle licence may be appealed to the local magistrates' court (and conditions imposed on grant of a private hire vehicle licence or a hackney carriage vehicle licence may also be likewise appealed). A refusal to grant a hackney carriage vehicle licence may be appealed directly to the Crown Court.

Background documents

Background Document 1 – report of meeting 07/12/2021 including the report attached background documents and appendix can be found within the attached link as agenda item 8. https://southribble.moderngov.co.uk/ieListDocuments.aspx?Cld=483&Mld=2197&Ver=4

Report Author:	Email:	Telephone:	Date:
Chris Ward (Licensing Manager)	christopher.ward@southribble.gov.uk	01772 625330	23/02/2022





Report of	Meeting	Date
Director of Planning and Development	Licensing and Public Safety Committee	Tuesday, 8 March 2022

Consultation Feedback - Single Use/ Restricted Private Hire Badges

Is this report confidential?	No
Is this decision key?	No

Purpose of the Report

The purpose of the report is to provide feedback on the consultation carried out in response
to the intended policy amendments, with regards the recent request from SRBC licensed
operators for a single use/ restricted private hire licence to be available from this licensing
authority.

Recommendations

- 1. Note the content of the report
- 2. Consider the consultation responses.
- 3. If members are minded accepting the proposal with regards to either single use private hire badges or changes to the current knowledge test, within the 3 options proposed and consulted on, then forward this report to the next meeting of the Council with a recommendation for formal adoption of the proposed policies.

Other options considered and rejected

2. All possible options are proposed within the report, Members also have the option not to change anything and keep the policy in its current state with regards to the local area knowledge test for new applicants.

Corporate priorities

3. The report relates to the following corporate priorities:

An exemplary council	Thriving communities

A fair local economy that works for	Good homes, green spaces, healthy places
everyone	Cood Homes, green spaces, ficality places

Background to the report

- 4. A detailed report presented to members of the Licensing and public safety committee on 07/12/2021, advising a request was submitted in writing from SRBC licensed operators for a single use/ restricted private hire licence to be available from this licensing authority.
- 5. Officers advised the committee that for some time requests have been received by a number of operators for the possibility to have various aspects of the application process removed mainly regarding the local area knowledge test. These request have been received from operators who only perform airport and corporate travel, and operators who perform school contract work, who's drivers are performing work which is outside the borough or doesn't have the need for any local knowledge of the area.
- 6. These types of driver are normally employed by operators part-time, often retired and only perform one or two journeys per day, that could be taking a specific child to and from school or taking a booking to Manchester airport.
- 7. Applicants are applying at neighbouring authorities where they find it easier to obtain badges, only to return to work in this area for operators with licences issued by South Ribble and other authorities, with the work passed to them through the second operator licence.
- 8. Operators are asking for members to consider removing the requirement for these types of drivers needing to pass a local area knowledge test as a requirement when first licenced for these type of drivers.
- 9. At the meeting of 07/12/2021, a representative from 24/7 Ltd addressed the committee and explained that they had been struggling to employ drivers since they started in Lancashire in March 2020 due to the local area knowledge tests in place.
- 10. The representative explained that the business was based within South Ribble and they would like to keep the business within the borough. It was provided that a lot of the school work was contracted through Lancashire County Council (LCC) and drivers were mainly collecting children to take them out of the borough to their school.
- 11. A second operator addressed the committee. He advised that his business had operated for 17 years and only undertook airport transfers.
- 12. They had been advertising for drivers since July and had not been able to employ a single driver due to the requirements in place for obtaining a PVH licence.
- 13. The operator explained that drivers had to undertake numerous tests in order to be granted yet many other trades did not. The operator went on to explain that if nothing changed his business would be forced to cease trading.

14. A high percentage of driver fail the test on the first occasion and often it takes driver 3 or 4 attempts to pass the test.

Current Policy Wording

15. The current policy regarding new applicants' requirement to pass a local area knowledge test states:

5.8 Local Area Knowledge Test

The Council acknowledges that it is important to the travelling public that the drivers it licences have a good knowledge of the Borough and its boundaries, the Highway Code and the ability to comprehend and communicate effectively in English. All applicants for a new driver's licence for both types of licence will be required to pass either the hackney carriage or private hire knowledge test before they can be granted a licence. Where an applicant wishes to apply for both types of licence, they will only be required to pass the hackney carriage knowledge test. Drivers who have been previously licensed by this Council who have allowed their licence to lapse for whatever reason will be required to pass the appropriate knowledge test before they can be granted a licence, even if they have passed a local knowledge test previously unless:

- They can demonstrate that they have held a licence for a continuous period of five years or more immediately prior to the expiry of their licence, and
- The application for a new licence is submitted within three months of the expiry of the previous licence.
- 16. Officers advised of the options for members to consider;
- 17. Option 1 To issue restricted single use Private Hire badges with the following condition attached:

Restricted Private Hire Licence

The driver is restricted to only perform the following work

- 1. Prearranged school or special educational needs transport
- 2. Prearranged airport work
- 3. Prearranged executive corporate travel.

The licence holder may only conduct regular pre-booked operator work other than the listed criteria above when they have completed a local area knowledge test, at which point the licences authority will lift the restriction on their licence.

- 18. The proposed policy wording for this option can be found within section 33 of the report from the meeting on 07/12/2021 attached to this report as background document 1.
- 19. Option 2 Remove the knowledge test
- 20. The knowledge test could be scrapped completely for all applicants. (hackney test still required for Hackney Applicants).

- 21. Due to the use of developing technology within private hire operations, drivers now have PDA's within their vehicles that pre booked jobs are sent to drivers through.
- 22. The use of radios has been superseded by technology and the drivers are no longer given jobs over the radio, but now digitally through their PDA system.
- 23. As the journey is pre booked the system pre programmes this into the Sat Nav within the PDA's through the operator systems used automatically. Operators use these systems to track their drivers, this is often demonstrated to officers upon operator visits.
- 24. Private Hire drivers do not collect customers from the street, they cannot ply for hire.
- 25. The need for drivers to have a local knowledge has been negated by the use of technology within the vehicles.
- 26. Currently as a requirement of the policy all new applicants must provide proof, they have a level 2 qualification or equivalent. A basic English and Maths knowledge is required to be able to pass the course and obtain the qualification.
- 27. If any operators are not using PDA systems then a simple satellite navigation system would again, negating the need for drivers to have a local knowledge of the best route from "place A to place B" as this would be provided by the satellite navigation system.
- 28. Option 3 just remove the local area knowledge element of the test and replace the current wording with the following proposed policy wording;
 - 5.8 Driver Competency Test

The Council acknowledges that it is important to the travelling public that the drivers it licences:

- Have a basic understanding of the English language
- Have a basic Knowledge of numeracy
- Able to use a Satellite navigation system

All applicants will be required to pass the competency test before a licence will be granted.

Where an applicant wishes to apply for Hackney Carriage Licence an additional "Hackney Carriage Test", will be required before a licence can be granted.

Drivers who have been previously licensed by this Council who have allowed their licence to lapse for whatever reason will be required to pass the appropriate knowledge test before they can be granted a licence, even if they have passed a local knowledge test previously unless:

- They can demonstrate that they have held a licence for a continuous period of five years or more immediately prior to the expiry of their licence, and
- The application for a new licence is submitted within three months of the expiry of the previous licence.

- 29. Keep the test in place but remove the local aspect of the test completely, keeping a section of the test as a "competency Test" for basic English, Numeracy and a test for using a satellite navigation system. Taking into account the above sections 21- 25 of this report.
- 30. An argument to this option is that driver will also need to pass a driver qualification and the maths and English element is required within this test, so they have already displayed basic English and maths knowledge by obtaining the qualification.

At the meeting on 07/12/2021

- 31. Members accepted that there was a national shortage of drivers and discussed the use of technology, how this could assist drivers and the drawbacks should the technology fail.
- 32. Members considered the three options within the report and agreed to start consultation for all with signage for restricted use licences being included.
- 33. Committee agree that the licensing section undertake a consultation exercise with stakeholders, on the proposed changes to the Taxi Licensing Policy and agree to receive a report on the outcome of the consultation exercise at a future meeting.

Consultation Responses

- 34. Letters were sent to all drivers and operators.
- 35. Paper consultation forms were provided to every licenced driver, vehicle proprietor and licenced operator.
- 36. The summarised consultation responses are as follows,

Option 1	Option 2	Option 3	Answered NO to all offered options
Remove the knowledge test completely for single use/restricted private hire licences, Would only be offered to applicants that perform school contract work, that requires a regular collection of one child with specific requirements, to be taken to the same school every day, or are performing specific airport contract work or corporate contract work that takes passengers from their home out of the borough	Remove the knowledge test for all private hire drivers. The knowledge test could be scrapped completely for all applicants.	just remove the local area knowledge element of the test Keep the Knowledge Test in place but remove the local aspect of the test completely for PH drivers, keeping a section of the test for highway code, English and math skills	

usually to Manchester or Liverpool Airport.			
42	3	3	10

- 37. From the results above the trade as a whole have supported option 1 as a consultation response.
- 38. But, 39 responses have been received from Drivers who exclusively work for an operator who only perform private hire work.
- 39. 10 consultee responses didn't not agree with any changes to the policy regarding the knowledge test for private Hire drivers, these responses were all received from Hackney Carriage drivers.

Taxi Trade Forum 12/01/2022

- 40. Following the meeting of the committee on 07/12/2021, a taxi trade forum was held to advise the trade regarding the consultation.
- 41. A representative of the hackney trade raised concern that a single use licence for private hire drivers could be abused with drivers undertaking PVH work in the local area. The representative gave their concerns, on how the licensing authority would be able to enforce if the restricted driver was performing normal private hire jobs and how would they be able to check this.
- 42. Officers explained that there would be a condition attached to the licence restricting the type of work a driver could undertake. If a driver was found to be in breach of the conditions they would be taken before a General Licensing Sub-Committee for enforcement action.
- 43. Officers explained that if the restricted licence was granted then the only work the licence holder would be permitted to perform would be school contract work, book airport contract work, and corporate business work.
- 44. This would not include train stations, ferry ports or local pickups as the trade also questioned at the forum.

Proposal

- 45. Officers feel the best option, would be option 3, adopting policy wording found within section 28 of this report to the taxi licensing policy.
- 46. Keeping the test in place but removing the local aspect of the test completely, keeping a section of the test as a "competency Test" for basic English, Numeracy and a test for using a satellite navigation system. Taking into account the options proposed within sections 16 -30 of the report.
- 47. Officers believe technology has changed since the knowledge test was first implemented, which whilst drivers do need to still be able to communicate with their passengers, may need read a map, be able to hold a basic numeracy knowledge to be able to take payments, use taxi meters etc, the local aspect is now covered by navigation hardware within the vehicles.

- 48. Officers feel the test is restrictive and in its current form unnecessary, officers report that new drivers are turning down applying for badges with this authority as they can't obtain a licence due to the knowledge test being too restrictive.
- 49. Applicants are taking the test multiple times before giving up. Officers have found that this is having a knock-on effect of the number of drivers applying for licences with this authority, Operators also report, they are struggling to obtain new drivers.
- 50. Currently South Ribble have 4 licenced operators, who also hold operator licences with other authorities. Applicants are applying at neighbouring authorities where they find it easier to obtain badges, only to return to work in this area for these operators with licences issued by other authorities.
- 51. This is extremely counterproductive as this restricts the amount of enforcement power our drivers have over these drivers. Our officers have very little to no enforcement powers over these vehicles operating in our area.

Hackney Carriage Driver Applicants

- 52. The additional Hackney Test would remain in place and would not be changed, this test requires applicants to answer additional questions, relating to the additional knowledge required to be a hackney driver.
- 53. But hackney applicants would also benefit from the knowledge test changing, as they are also required to pass the knowledge test alongside the hackney Knowledge Test.

Next Step

- 54. Members are now asked to make a decision to either accept one of the 3 options proposed to them within the report or reject any changes within the taxi licensing policy with regards to the knowledge test for new drivers .
- 55. If members are minded accepting one of the proposed 3 options within the report, then forward this report to the next meeting of the Council with a recommendation for formal adoption of the proposed policy option as member decide on.

Climate change and air quality

56. The work noted in this report does not impact the climate change and sustainability targets of the Councils Green Agenda and all environmental considerations are in place.

Equality and diversity

57. Any equality implications have been addressed within the report.

Risk

58. As addressed within the report.

Comments of the Statutory Finance Officer

59. There are no significant financial implications at this stage.

Comments of the Monitoring Officer

60. The Council must grant private hire driver licences only to those applicants it considers to be fit and proper. There is no statutory definition of "fit and proper". Applicants must have a basic level of English and numeracy to be able to deal with customers. The onset of technology has evolved and led to changes in respect of the use of Satellite Navigation Systems- it would be essential for the driver to use these systems.

Background documents

Background Document 1 – Report 07/12/2021 - <u>Single UseRestricted Private Hire Licences.pdf</u> (moderngov.co.uk)

Appendices

Appendix 1 - Request from Licence Operator for restricted use badges.- <u>Appendix 1 - Request for Conditional Restricted licences from 247.pdf (moderngov.co.uk)</u>

Report Author:	Email:	Telephone:	Date:
Chris Ward (Licensing Manager)	christopher.ward@southribble.gov.uk	01772 625330	23/02/2022



Report of	Meeting	Date
Director of Planning and Development	Licensing and Public Safety Committee	Tuesday, 8 March 2022

Consultation Feedback - Request for Taxi Tariff Increase (Hackney carriages)

Is this report confidential?	No
Is this decision key?	Not Applicable

Purpose of the Report

1. The purpose of the report is to provide feedback with regards to the written request received from members of the taxi trade to increases in the taxi tariff set by this authority.

Recommendations

- 2. Note the content of the report
- 3. Consider the consultation responses.
- 4. Members are asked to take into account the objections received within the report from the consultation exercise. Members are asked to make a decision to accept, reject or modify the proposed changes to the Tariff of Fares set by this licensing authority in line with s65 (4) Local Government (Miscellaneous Provisions) Act 1976.

Other options considered and rejected

5. All possible options are proposed to members, are contained within the report.

Corporate priorities

6. The report relates to the following corporate priorities:

An exemplary council	Thriving communities
A fair local economy that works for everyone	Good homes, green spaces, healthy places

Background to the report

- 7. At the last meeting of the Licensing and Public Safety Committee, on 5th January 2022, a report was presented to members of the committee advising that a written request has been received from the "South Ribble Taxi Drivers Association", for an increase in the tariff of charges set by this authority.
- 8. Members were asked to consider the proposed request for an increase in the taxi tariff set by the licensing authority and to agree the licensing section undertaking a consultation exercise with stakeholders. The request can be found attached to this report as background document 2.
- 9. Section 65 of the of the Local Government (Miscellaneous Provisions) Act 1976 permits Licensing Authorities to set the fares tariff for its licensed Hackney carriages (taxis).
 - The total cost of using a taxi is referred to as a 'fare' and is calculated on an electronic meter installed and displayed within the vehicle.
 - The council sets the maximum fares that taxi drivers can charge its passengers.
 - The charge is broken down into a start fee and the distance i.e. the further you go, the higher the fare.
 - There are extra charges for delays/waiting times and multiple number of passengers
 - · There are different tariffs for later hours and public and bank holidays

Requested increases

- 10. The following have 4 increase have been requested by the taxi trade;
- 11. Increase on start-up fee only by 50p. (charge per mile to stay the same)
 - Tariff 1 £2.20 to 2:70 6.00am and 00.00
 - **Tariff 2 £3.00 to £3.50** 00.00 to 6.00am, Stat Holidays and Bank Holidays, 5 or more passengers on Tariff 1 rates
 - **Tariff 3 £4.00 to £4.50** 6.00pm Christmas Eve and 6.00am 27th December and between 6.00pm New Year's Eve and 6.00am 2nd January or 5 or more passengers on Tariff 2 rates
- 12. Soiling charge is currently £40.00 increase to £100.00 maximum.
- 13. Waiting time increase from 10p every 30 seconds to 10p every 20 seconds
- 14. The additional charge for carrying dogs (excluding assistance dogs), Increase from 60p per dog to £1.00.

Factors to consider as reasoning to increase the tariffs.

15. At the meeting on 05th Jan 2022, several members of the trade addressed the committee and explained the reasons behind requesting an increase of fares.

- 16. Various factors have been mentioned by the trade as to why they feel now is a reasonable time to increase the tariffs set by this authority;
 - Cost of living has increased since 2015 when the last tariff increase took place.
 - Cost of Taxi Plates and Badges have increased since 2015.
 - Cost of recent fuel increase have hit drivers profits on each job they take.
 - Second hand vehicle cost increases the vehicle age policy requires vehicles to be changed when a certain age is reached, owner drivers must outlay for new vehicles which fit the requirements of the policy.
 - Covid lockdown impact on drivers lack of work, less people using taxis because of covid.
 - Lack of grants available for licensed drivers most drivers did not meet the minimum required threshold for grants from the council.
 - · Minimum wage increases
- 17. A member of the trade advised that several drivers had left the profession to work for food delivery services as they were paid better.
- 18. Following a question from a member of the committee regarding the level of increase requested for the soiling charge, the same member of the trade explained that they requested the soiling charge to be raised to £100 to take into consideration the time they are kept off the road and not just the cleaning bill.
- 19. If a vehicle was soiled in an evening the driver would have to stop work and return home and wait until morning till the vehicle could be cleaned.
- 20. The £100 was a figure which had been considered carefully and drivers had tried to keep the increase to a minimum. Obviously, this charge would be a maximum and drivers could charge less if the circumstances required.
- 21. The committee considered the evidence submitted within the report and agreed that the licensing section undertake a period of consultation, with the relevant stakeholders in respect of the proposed options.
- 22. Following the committee approval to consult stakeholders, a six-week consultation was conducted up to the 17/02/2022. The consultation highlighted the requested increase by the trade and invited feedback from stakeholders.

Taxi Trade Forum - Wednesday, 12 January 2022

- 23. At the taxi trade forum, members of the trade were updated on the proposal increase to the taxi tariff that had been received from the trade.
- 24. some members of the trade and representatives in attendance at the forum, felt that maybe the proposed increase was not high enough, given that an increase had not been given since 2015.

- 25. Drivers had struggled with loss of trade during COVID and had seen their earnings decrease significantly. The Chair and officers encouraged the trade to meet collectively to complete the consultation advising what increase in fare they thought to be appropriate
- 26. A second trade forum was proposed to help the trade collectively give the committee feedback to help with their decision and give them a clear sight of what the trade collectively were asking for.

Taxi Trade Forum – Tuesday 25th January 2022

- 27. At the second forum the trade explained the had collectively discussed if they thought the proposal was actually what they wanted. A representative of the trade explained they agreed with the original proposal.
- 28. The trade believe the general public is also going through financial hard times and further increases to the one originally proposed would not be fair on their customers and would not look good on the taxi trade within the borough.

Consultation Responses

- 29. As per the requirements under section 65 (2) of the of the Local Government (Miscellaneous Provisions) Act 1976, a public notice was placed within the Lancashire Evening Post within the specific time requirements, a notice was displayed on the council's reception area, also a notice and a copy of the consultation document placed on the councils website, displaying the proposed changes to the taxi tariffs and where to contact to make representations.
- 30. No objections were received from any member of the public.
- 31. Additionally, paper consultation forms were provided to every licensed driver, vehicle proprietor and licensed operator. The summarised consultation responses are as follows;

Proposed Option to increase	
Yes	No
57	3

Proposal

- 32. The results of the consultation is resoundingly in support of the increase with only 3 members of the trade out of 60 responses not supporting the increase.
- 33. Officers propose that taking into account the factors mentioned in part 16 to 23 of the report, to agree to the proposal made by the trade representatives to the committee at the meeting of the 05/01/2022.
- 34. Members are now asked to make a decision to accept, reject or modify the proposed changes to the Tariff of Fares set by this licensing authority in line with s65 (4) of the act which states that;

"the district council shall set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections."

Climate change and air quality

35. The work noted in this report does not impact the climate change and sustainability targets of the Councils Green Agenda and all environmental considerations are in place.

Equality and diversity

36. Equality issues have been raised within the report, the trade have commented about the amount they have asked for in the increase has taken into account that members of the public have been hit hard by covid restrictions financially, this can be found within section 28 of this report.

Risk

37. This has been addressed in the body of the report.

Comments of the Statutory Finance Officer

38. As these charges are not directly made by the Council there are no financial implications for the Council itself in this change.

Comments of the Monitoring Officer

39. The power of the Council to set hackney carriage fares and the procedure to be followed both contained in Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 is addressed within the body of the report.

Background documents

Background document 1 can be found within the following link as agenda Item 12 - https://southribble.moderngov.co.uk/ieListDocuments.aspx?Cld=483&Mld=2461&Ver=4

Report Author:	Email:	Telephone:	Date:
Chris Ward (Licensing Manager)	christopher.ward@southribble.gov.uk	01772 625330	22/02/2022





Report of	Meeting	Date
Director of Planning and Development	Licensing and Public Safety Committee	Tuesday, 8 March 2022

Statutory HMRC Checks for Taxi/Private Hire Driver Applications

Is this report confidential?	No
Is this decision key?	Not applicable

Purpose of the Report

1. To seek approval to adopt statutory checks to renewal applications for all licence hackney and Private Hire Drivers, operator licences and scrap metal licences.

Reasons for recommendations

2. This is a mandatory change to policy, that is required to be implemented to all authorities Taxi Licensing Policy.

Other options considered and rejected

3. There are no other options it is a statutory requirement for councils to implement this into their renewal applications for taxi and private hire badge applications.

Corporate priorities

4. The report relates to the following corporate priorities:

An exemplary council	Thriving communities	
A fair local economy that works for everyone	Good homes, green spaces, healthy places	

Background to the report

- 5. The government is putting in place new tax requirements for applications to certain licences from 4 April 2022. This is supported by a new digital service, being developed by HMRC.
- 6. From 4 April 2022, there will be a small addition to the checks our licensing team perform when renewal applications are received for the following types of licences;
 - Hackney and Private Hire renewal applications
 - Operator renewal Applications
 - Scrap metal renewal applications.
- 7. The check is simply to confirm that someone is appropriately registered for tax. The check will only be required for renewal applications.
- 8. Applicants will be able to complete this tax check on GOV.UK, through their Government Gateway account.
- 9. They will only need to answer a few questions to tell HMRC how they pay any tax that may be due on income they earn from the licensed trade.
- 10. The tax check should only take a few minutes.
- 11. When applicants have completed the tax check, they'll get a code.
- 12. This code is then presented as part of the application documentation.
- 13. Licensing officers will not proceed with applications for renewals until the tax check is completed and they've received the code.
- 14. Officers will then enter the tax code into the gov.uk website for confirmation from HMRC that they have completed the tax check.
- 15. The following fact sheet has been provided by central government, it provides information and links to for the process of obtaining a tax check code.
 - https://www.gov.uk/government/publications/licence-application-tax-check-communications-resources/tax-check-factsheet
- 16. Officers will update the application forms for renewal applications in line with the requirements of the HMRC for applications forms for the required licence types, regarding taxi licensing and Scrap metal Licensing.
- 17. No policy updates are required for Scrap metal licensing, but they are for taxi Licensing.

Proposed wording to the Taxi Licensing Policy

5.10 All applicants upon renewal of a current hackney and private Hire Drivers Licence are required perform a tax check via the Gov.uk website and obtain a "tax check code".

This code must then present as part of the renewal application documentation.

Applicants must authorise via declaration on the application form, the licensing authority to undertake checks with HMRC. Officers will then enter the tax code into the gov.uk website for confirmation from HMRC that they have completed the tax check.

Applications for will not proceed with applications for renewals until the tax check is completed and they've received the code.

.....

5.1 Fit and Proper Person Test

During the application process the Council will undertake a number of checks to gather the information necessary to assess the suitability of the applicant. Factors that will be taken into account when reaching a decision include:

- Criminality (whether the applicant has any criminal convictions or cautions), including non-conviction information disclosed in an Enhanced DBS Disclosure, or where the individual appears on the child or adult barred list
- Driving licence entitlement to drive in the UK and number of endorsed penalty points
- Right to work in the UK
- Medical fitness
- Conduct of the applicant during the application process
- Previous licensing history
- Knowledge of the Borough
- HMRC Check Code

This is not an exhaustive list of the matters that will be considered and further information will be sought from other agencies such as the Police, Safeguarding Boards and other licensing authorities as appropriate.

.....

9.10 All applicants upon renewal of a private Hire Operator Licence are required perform a tax check via the Gov.uk website and obtain a "tax check code".

This code must then present as part of the renewal application documentation.

Applicants must authorise via declaration on the application form, the licensing authority to undertake checks with HMRC. Officers will then enter the tax code into the gov.uk website for confirmation from HMRC that they have completed the tax check.

Applications for will not proceed with applications for renewals until the tax check is completed and they've received the code.

.....

9.2 Application procedure

The Council invites applications from private hire operators via the on-line forms that can be found on its website. Applicants who are unable to access the electronic forms may call into the Civic Centre during office hours, where a member of the Gateway Team will assist them. All Private Hire Operators Licenses clearly indicate the expiry date of the licence. It is the responsibility of the operator to ensure that a valid application is submitted to the Council before the licence expires. Applications will not be determined until the applicant is able to produce original evidence of:-

- Valid, appropriate insurance policy(s)
- Valid driving licence
- Basic Disclosure Certificate issued no more than 1 month prior to the application.
- Payment of the appropriate fee
- HMRC check Code
- 18. If members are minded accepting the proposed changes to the taxi licensing policy to incorporate the HMRC checks into the policy, then forward this report to the next meeting of the Council with a recommendation for formal adoption of the proposed policy.

Climate change and air quality

19. The work noted in this report does not impact the climate change and sustainability targets of the Councils Green Agenda and all environmental considerations are in place.

Equality and diversity

20. There are no equality implications within this report, this is a mandatory function the licensing authority must perform from 04/04/2022.

Risk

21. The HMRC check is mandatory for all applications and if the council does not commence the procedure of the checks within its renewal applications for the mentioned licence types, then it risks the consequence of action from central government.

Comments of the Statutory Finance Officer

22. There are no direct financial implications of this change.

Comments of the Monitoring Officer

23. The compulsory nature of the tax checks means that the Council must implement the changes.

Background documents

Background Document 1 - Tax Check Fact Sheet - <u>Tax check factsheet - GOV.UK</u> (<u>www.gov.uk</u>)

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