

**Manchester City Council
Report for Information**

Report to: Licensing and Appeals Committee – 19 October 2015
Subject: Taxi Licensing update report
Report of: Head of Planning, Building Control and Licensing

Summary

The report provides Committee with a brief summary on the following matters that are of relevance to the taxi licensing functions of the Council.

1. Deregulation Act 2015
2. Fees associated with hackney carriage and private hire licensing
3. Safeguarding Booklet
4. Vehicle testing

Recommendations

In relation to the four main issues as indicated above:

That the Committee notes the information and in particular the way in which the Council will, in future, deal with the provision of DBS certificates

Wards Affected: All

Community Strategy Spine	Summary of the contribution to the strategy
Performance of the economy of the region and sub region	Not applicable to content this report
Reaching full potential in education and employment	Not applicable to the content of this report
Individual and collective self esteem – mutual respect	Not applicable to the content of this report
Neighbourhoods of Choice	Not applicable to the content of this report

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
 - Risk Management
 - Legal Considerations
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Financial Consequences – Revenue

None

Financial Consequences – Capital

None

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Background documents

The Deregulation Act 2015

1. Introduction

- 1.1 This report provides an update for the Committee of current matters that are of relevance to the taxi licensing functions.
- 1.2 The 4 main topics include;
1. Deregulation Act 2015
 2. Fees & Charges associated with the administration of the hackney carriage and private hire licensing functions
 3. Safeguarding Booklet
 4. Vehicle testing

2. Deregulation Act 2015

- 2.1 In a report to Committee on 16 June 2014 Members were updated on the progress of the Deregulation Bill 1013-14 (HC Bill 191). This Bill has received Royal Assent and is now the Deregulation Act 2015.
- 2.2 The section of the Act that makes changes to the Local Government (Miscellaneous Provisions) Act 1976, came into force on 1 October 2015 and affects taxis and private hire vehicles in two ways:
- i. it allows private hire operators to sub-contract bookings to operators licensed in a different district. The basis of this is the belief that this would improve an operator's ability to meet passengers' needs and make the passengers experience more convenient
 - ii. it makes the standard duration for all taxi and PHV driver licences three years and five years for PHV operator licences. Further, it is proposed that shorter durations will only be granted on a case-by-case basis where this can be justified. This, it is considered, will reduce the financial and administrative burden of having to make more frequent licence renewals.
- 2.4 The purpose of the Act is to reduce the overall burden of regulation on business and individuals and to cut red tape. The above measures described by the Department of Transport as being straightforward, will generate significant benefits for the taxi and private hire trades.
- 2.5 Any individual who has made an application for a hackney carriage/private hire driver licence to the licensing unit on or from 1 October will have been issued with a 3-year licence. Likewise, applications for a private hire operator licence received on or after 1 October 2015 will have been issued with a 5-year licence.
- 2.6 As the purpose of the Act is to reduce burden and red tape the Council cannot undermine the legislation by for example, adopting a number of annual checks. However, it is firmly believed that there is a need for an annual DBS check on the grounds of 'Safeguarding'. As from 1 October 2015 all applicants have

been advised of the following in relation to the Councils future requirement for a DBS certificate:

- Prior to the expiry of a current DBS certificate an application must provide a new recent DBS certificate and in addition must provide evidence that they have signed into the annual DBS checking service.

- 2.6.1 The annual DBS checking service means that the applicant applies, and is provided with a DBS certificate. This certificate is used as a 'baseline certificate' for the annual checks. The annual check is carried out on-line and provides information of any changes to the status of the 'baseline certificate' .
- 2.6.2 The Licensing Unit will use the on-line checking facility to check the status of the 'baseline certificate'. No action would need to be taken unless the check indicates that a change has occurred to the status of the 'baseline' certificate'. This would then prompt the Licensing Unit to ask the for a new DBS certificate.

3. Fees & Charges

- 3.1 The setting and approval of the fees and charges relating to the administration of the private hire and hackney carriage licensing is the function of the Head of Planning, Building Control and Licensing in conjunction with the Chair of the Licensing and Appeals Committee.
- 3.2 On 28 August 2015 a meeting was held to discuss and consider proposals regarding the review of the Manchester taxi licensing fees and charges. A public notice, a copy of which is attached at **Appendix 1**, subsequently appeared in the Manchester Evening News on 29 August 2015. Any objections to the proposed fees were required by 26 September 2015.
- 3.3 In addition, on 2 September 2015, the Licensing Unit sent an email to all licence holders who had registered on the licensing database (3000 +). The e-mail advised the trade that the fees had been set and included attached copies of the public notice that appeared in the MEN and a copy of the 'principals of setting taxi fees, attached at **Appendix 2**.
- 3.4 On 28 September 2015 a meeting was held to consider an objection from an individual taxi driver and a small number of queries that were received following the MEN advert. After due consideration a decision was made to set the fees outlined in Appendix 1, to come into effect for applications received on or after 1 October 2015.

4. Safeguarding Booklet

- 4.1 The Committee are aware that greater emphasis is being placed on safe guarding issues and as a priority across the City, this has reinforced the work being undertaken across the Council with GMP and other stakeholders. From a licensing perspective this has focussed particular attention on the taxi trade and consideration has been given on how we can work with the

taxi trade to develop effective messages and training in this regard, As the council issues some 5'000 driver licences, the task of getting this message across was in itself challenging.

- 4.2 Whilst there is an intention to look at the feasibility of rolling out a training programme, it was felt that some immediate action needed to be taken.
- 4.3 A workshop was therefore set up with all the relevant bodies (GMP Manchester safeguarding, Phoenix and the taxi trade). Following the meeting a Safeguarding and Safety booklet was produced. This contains basic information on ,
- Child safeguarding
 - Child sexual exploitation
 - Female genital mutilation
 - Human trafficking
 - Terrorism and
 - Hate crime

as well as links to websites containing additional information. The handbook also contains information and advice on how drivers can keep themselves safe and what to do if things go wrong.

- 4.4 A copy has now been sent out by post to all hackney carriage and private hire Drivers licensed by the Council. Members will be provided with a copy of the handbook at this meeting.
- 4.5 The handbook has been well received and is a starting point for future training and work with the trade..

5. Taxi testing

- 5.1 All private hire and hackney carriage vehicles are tested at a Council testing station. The testing station, which was housed at Hammerstone Road, has recently moved to Lawton Street and is now collocated and combined with GMP.
- 5.2 The Licensing Unit has been experiencing a high demand for the testing service as the number of applications across the whole taxi licensing regime has increased, but especially in relation to the number of new applications received for private hire vehicles. This has in turn caused the pressure on the Council's garage testing facility. The pressure on the service has also been compounded by:
- The number of vehicles that are not presented in a condition whereby they would pass the taxi test; and
 - The number of vehicle proprietors who do not attend for their taxi test.

Between 1 and 25 September 2015, it is estimated there were 707 vehicles booked for taxi tests. However, 71 proprietors failed to attend and unless sufficient prior notice is given the slots cannot be reused. This is therefore

being reviewed..

- 5.2.1 It is the intention for additional resources to be introduced at the garage testing facility at Lawton Street which would provide a permanent, long-term solution to the demand for service.
- 5.2.2 In the short term, to alleviate the current pressure on the garage, the Council has secured taxi test inspections at Salford Council's garage facility. A service level agreement for 6 months, which commenced on 5 October 2015, has been agreed with Salford City Council with 30 vehicle inspections a week being provided. These tests will be allocated to new private hire vehicles coming onto the fleet, which will allow the available slots at Lawton street to be used for renewal vehicles over this period.
- 5.2.3 Officers will review the agreement with Salford in November to evaluate the effectiveness of the arrangement.

6. Implications for:

(a) Equal Opportunities

There are no equal opportunity issue in relation to this report

(b) Risk Management

There are no risk management issues in relation to this report.

(c) Legal Considerations

There are no legal considerations other than those already highlighted within the report

7. Conclusion

7.1 The report provides information on the following;

1. Deregulation Act 2015
2. Fees & Charges associated with the administration of the hackney carriage and private hire licensing functions
3. Safeguarding Booklet
4. Vehicle testing

7.1.2 The report provides a brief summary on each of the above and asks Members to 'note the information'. In relation to the Deregulation Act Members are asked to note in particular the way in which the Council will deal, in future, with DBS checks



**Local Government (Miscellaneous Provisions) Act 1976 and
1982**

Table of Proposed Licensing Fees

Type of Licence	Current Fee wef 1/10/14	Proposed Fee wef 1/10/15
New Private Hire Vehicle licence - BRAND NEW VEHICLE	£95	£160
New Private Hire Vehicle licence - LESS than 5yrs old	£151	£216
New Private Hire Vehicle licence - MORE than 5yrs old	£207	£272
Renewal Private Hire Vehicle licence BRAND NEW VEHICLE	£95	£160
Renewal Private Hire Vehicle licence – LESS than 5 yrs old	£142	£184
Renewal Private Hire Vehicle licence – MORE than 5 years old	£198	£240
Renewal/ Replacement Hackney Carriage Vehicle licence LESS than 7yrs old	£297	£353
Renewal Hackney Carriage Vehicle licence VEHICLE MORE than 7yrs old	£359	£415
Renewal/ Replacement Hackney Carriage Vehicle licence BRAND NEW VEHICLE	£257	£322
Renewal/ Replacement Hackney Carriage Vehicle licence New but LESS than 2 years old	384	303
Limousine Vehicle	£55	£55
Grant of New Private Hire Operator Licence	£188	£650
Renewal of Private Hire Operator Licence or Additional Base	£188	£650
Private Hire Operator Licence Minor Amendment	NC	NC
Replacement / Duplicate Hackney Carriage / Private Hire Vehicle Paper Licence	NC	NC
Replacement Hackney Carriage Vehicle Licence Plate/Bracket	£17	£17
Replacement Private Hire Vehicle Licence Plate/Bracket	£11	£11
Replacement Private Hire Stickers	£15	£15
Replacement Hackney Carriage Hire Stickers	£7	£7
Transfer of Private Hire / Hackney Carriage Vehicle Licence	£17	£32
Spot Check Fee / Additional Vehicle Test	£45	£45
Vehicle Retest Fee – Major	£28	£28
Vehicle Retest Fee - Minor	£8	£8
For information proposals regarding Hackney Carriage and Private Hire Driver fees.		
Private Hire & Hackney Carriage Driver NEW incl DVLA, DBS & Skills Assessment	£144	£334
Private Hire & Hackney Carriage Driver RENEWAL (excl DBS)	£36	£103
Replacement/Duplicate Private Hire/Hackney Carriage Badge	NC	NC
Replacement/Duplicate Hackney Carriage/Private Hire Paper Licence	NC	NC
Coaching / Knowledge Test Fee (including re-test)	£18	£59
Enhanced Criminal Records Bureau (DBS) Check	£44	£44
Basic Skills Assessment	£10	£13

Principles in setting Taxi Licensing Fees

There are six main overarching principles that will be adhered to during the annual review of taxi fees based on the current legislation.

1. The fees will be set with regard to the most recently agreed budget for the Licensing section within the Growth & Neighbourhoods Directorate on an annual basis.
2. The fees will be determined using the activity data (volume of licences issued) from the preceding year in conjunction with the associated timesheet data for the staff within the licensing section.
3. Any surplus or deficit within the taxi reserve at the time that the fees are set will be taken into account when determining the fee levels.
4. Any items or services provided through third parties shall be recharged within the fees at cost. This includes items such as DBS checks, taxi plates and stickers and vehicle inspections.
5. The allocation of any surplus or deficit from the taxi reserve will be applied proportionately to activities directly undertaken by the licensing section. This will not include items or services provided through third parties.
6. Fees will be based on recovery in accordance with the provisions of The Local Government (Miscellaneous Provisions) Act 1976.