



TAXI NEWSLETTER

Summer 2016



Convictions Policy from July 15 2016

On July 14 2016, following consultation with East Herts licensed taxi trade, East Herts Licensing Committee approved a new driver convictions policy which will apply to all new applicants and existing licensed drivers. The policy comes into effect immediately.

As you are all aware the purpose and primary concern of the Licensing Authority when dealing with taxi licensing is to ensure the safety of the public. The authority must be satisfied that an applicant is a 'fit and proper' person to hold such a licence. The revised policy gives clear guidance to both applicants and the public regarding where the bar is set.

If you have a conviction that you think falls under the new policy, whether we have previously considered it or not, and would like to discuss the matter then please call the licensing team on 01992 531502 or come to one of our drop-in sessions on Tuesdays 11am-12noon or Thursdays 2-3pm at Wallfields.

Please remember that you are required to inform us in writing about any new conviction, including fixed penalty notices, cautions or points on your driver's licence, within seven days. If you are not sure whether or not you have to notify us, then call us or drop-in to check. It's an offence if you fail to notify us of something relevant.

The full convictions policy can be viewed on the East Herts website at: <http://www.eastherts.gov.uk/article/22111/Taxi-Policy-and-Handbook>

Knowledge test and driver training

At the same meeting East Herts Licensing Committee approved changes to the knowledge test for dual driver applicants, the introduction of a knowledge test for private hire applicants and training for both new applicants and existing drivers.

The training will cover topics like rules and regulations, driver safety, customer service, how to report safeguarding concerns (adult and children) and disability awareness.

The update training for existing drivers will be held at Wallfields and will last for five hours. Attendance will be a condition of renewal of a driver's licence so drivers will receive update training every three years. Appointments will be sent to drivers around the time of renewal and the cost of the training will be £58.75. There is no test involved for existing drivers.

The training is aimed at ensuring public safety and updating your knowledge and skills so that you can grow your business.

For more details about the revised knowledge tests and training please look at the East Herts website at: <http://www.eastherts.gov.uk/knowledgetest>

Changes to legislation affecting taxis

IMMIGRATION ACT 2016:

Central Government are proposing significant alterations to Taxi Licensing as a result of the Immigration Act 2016. Once the Act is in force, rumoured to be October 2016, only persons with the right to remain and work in the UK can hold a drivers or operator's licence.

The changes will impose an obligation on East Herts to check the immigration status of all new and renewing drivers as part of the 'fit and proper' test.

If a licensed driver or operator's right to work or remain in the UK changes after a licence is granted, then that licence will no longer have effect and must be returned to us within seven days.

We already check applicant's right to work and remain in the UK at the time of initial application but the checks will now be applied at other times as well.

There is likely to be guidance issued by the Secretary of State regarding the new requirements and this may then impose the need for us to carry out more or different checks. There will obviously be a cost involved in this which will be passed onto the trade, as licence fees are required to cover the cost granting the licence. As always we will try to keep any increase to a minimum, in fact we have been bringing the price down over the last couple of years, but please remember we do not and cannot legally make a profit from taxi licensing. We charge you only what it cost the council to comply with the legislation.

POLICING & CRIME BILL:

This piece of legislation is still making its way through Parliament and is still being amended. A recent amendment would introduce a requirement for local authorities, such as East Herts, to 'carry out its functions with a view to preventing child sexual exploitation'.

The introduction of the training for new and existing drivers puts East Herts ahead of the legislation in this area and it is likely that this will satisfy the above requirement if it becomes law in the future.

EQUALITY ACT 2010:

Government have said that sections 165 and 167 of the Act will commence this year although no date has been set.

Section 165 requires drivers of wheelchair accessible vehicles to carry passengers in wheelchairs and provide assistance loading and unloading the passenger and handling the passenger's luggage. This may seem unnecessary as why would you have a wheel chair accessible vehicle and then not help your customers but clearly the Government believe it's required.

Section 167 gives East Herts the power to maintain a list of vehicles that are suitable for carrying persons in wheelchairs. We will be doing this, so please get in touch if you have a wheelchair accessible vehicle so we can ensure we have that recorded on our systems. The list of drivers with wheelchair accessible vehicles will be available when we receive an enquiry from a customer requiring this type of vehicle. Letting us know you have one could result in more bookings so it's worth getting in touch.



Taxi Q&A

Often when people come along for an appointment they have questions about how things are done or how to change things so we thought it would be a good idea to have a question and answer section in the newsletter. If you want a question answered then you can bet other drivers have also thought of it. It can be any topic to do with taxi licensing whether specifically about East Herts or a topic faced nationally by the trade. We will do our best to give you an answer or opinion but we may contact you directly with an answer if the question is more complex, relates to an individual or operator or is made in the form of a complaint. You should send your questions to community.protection@eastherts.gov.uk and the subject of the email should be 'Taxi Q&A'. As we only have limited space not all questions will appear in the newsletter but all questions will be answered.

To start the ball rolling we will try to answer two of the most common questions we hear, firstly 'Can the council limit the number of vehicle licences issued?'

The short answer is yes but it gets more complex than that. In order to limit the number of vehicle licences being issued we would need to carry out an unmet demand survey. If the survey found that there was no significant unmet demand then a cap could be imposed. Depending on the findings of the survey it is likely that the figure would be capped at the level it is now. This does not solve the complaints we hear about there already being too many vehicles. The cost of this unmet demand survey would have to be met by putting up the fees for vehicle licences as taxi licensing works on a cost recovery basis. The unmet demand survey would need to be repeated at least every three years so that any limit would remain justified. The trade could end up paying for a survey which then results in no cap on the number of vehicles, meaning you are actually worse off.

We're often told that we issue too many vehicle licenses so we thought you would like to see the numbers.

Date	Number of HC vehicles	Number of PH vehicles
June 2013	250	46
June 2014	254	44
June 2015	257	57
June 2016	257	56

Looking at this, it appears that what is probably happening is that drivers are spending longer working to earn the same money rather than more vehicles being licensed.

This links into the next common question: "Can we have more rank space?"

Taxi ranks are provided for the convenience of the travelling public. If you cannot get onto a taxi rank because it is full of other Hackney Carriages, that indicates there are not enough customers. Providing rank space is not a solution to this problem and East Herts Council is not here to provide taxis with parking spaces. We are happy to consider any requests for additional ranks where there is a clear demand from the public, but we then have to consult with Hertfordshire County Council Highways if it's on a public highway. The cost of any additional rank space (required advertising, road markings/signage and Traffic Order) would be recovered through an increase in the fee for licensing a Hackney Carriage vehicle. The same cost would be incurred to make alterations to an existing rank as setting up a new rank.



We are intending to review and where necessary revise all our policies in relation to drivers, vehicles and operator's to ensure they are fit for purpose. We will be looking at everything from online booking of appointments and an English competency test for all new applicants, to if there is any value in the VCC?

Let us know what you think is working well or any improvements you would like to see. Take the opportunity to get involved early by emailing your suggestions or comments to: community.protection@eastherts.gov.uk and make the subject of your email 'What's next?'

Any proposed changes will be subject to consultation with the trade and the public so please keep checking and take the opportunity to influence the way we carry out our taxi licensing functions.