

Taunton Deane Borough Council

Licensing Committee – 6 October 2010

Licensing Act 2003 – Taxi Handbook Amendments

Report of the Licensing Manager

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

Members are asked to consider adopting the amended “Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook”.
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2. Background

- 2.1 In 2009 all of the recommendations, policies, practice and conditions relating to taxi licensing were pulled together into one document the “Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook”. The handbook was approved and adopted by the Council as the definitive source of information for those in the trade, officers and other agencies.
- 2.2 Since adoption of the Handbook a number of changes have taken place within the structure of the Licensing Team requiring a redrafting of sections to reflect the changes in post title. Also at the request of the Taunton Deane Taxi Association certain conditions have been re-examined and found unsustainable.

3. Report

- 3.1 The original version of the Taxi Handbook that was adopted referred to post titles that have since been changed through the restructuring of the Licensing Unit. To reflect this and for the purposes of clarity changes have been made to ensure that the handbook relates only to those post titles that currently exist.
- 3.2 At the request of the Taunton Deane Taxi Association conditions 19 of Appendix 3 (Standard Conditions for a Hackney Carriage Vehicle Licence) and 21 of Appendix 4 (Standard Conditions for a Private Hire Vehicle Licence) have been re-examined. These conditions stated “Seats in the rear of the vehicle that can only be accessed by the boot/rear hatch or via seats that fold down or flip up will not be allowed for the conveyance of passengers in any vehicle unless with the written permission of the Council.

This does not necessarily apply to any vehicle where the rear door is specifically designed for the egress and ingress of passengers.”

- 3.3** Part of the re-examination was a consultation of all the Private Hire or Hackney Carriage drivers and owners licensed by Taunton Deane Borough Council. The consultation gave a choice of one of three options 1) Remove the conditions, 2) Retain the conditions or 3) Amend the conditions. Two thirds of those who responded to the consultation agreed to the removal of the conditions.
- 3.4** Following research no persuasive or historical justification for the retention of these conditions has been identified. It is the opinion of the Licensing Manager that in the absence of robust reasons to retain the conditions their removal should not be resisted.
- 3.5** The removal of the conditions regarding seats necessitates an alteration to the requirements of conditions 17 (d) of Appendix 3 (Standard Conditions for a Hackney Carriage Vehicle Licence) and 20 (d) of Appendix 4 (Standard Conditions for a Private Hire Vehicle Licence) regarding leg room.
- 3.6** The new wording for the conditions will be “provide at least 9inches/229mm of clear knee room per passenger, measured from the front portion of the passenger seat to the rear of the seat in front.

4. Finance Comments

None

5. Legal Comments

The legal implications are set out within the report.

6. Links to Corporate Aims

No direct links to the Corporate Aims

7. Environmental and Community Safety Implications

None

8. Equalities Impact

Not required

9. Risk Management

N/A

10. Partnership Implications (if any)

None

11. Recommendations

That Members approve the amendments to the “Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook”.

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