



Licensing and Public Safety Committee

Agenda and Reports

For consideration on

Wednesday, 10th June 2009

In the Council Chamber, Town Hall, Chorley

At 2.00 pm



www.chorley.gov.uk

This page is intentionally left blank

2 June 2009

Dear Councillor

LICENSING AND PUBLIC SAFETY COMMITTEE - WEDNESDAY, 10TH JUNE 2009

You are invited to attend a meeting of the Licensing and Public Safety Committee to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 10th June 2009 commencing at 2.00 pm.

AGENDA

1. **Welcome**
2. **Apologies for absence**
3. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

4. **Presentation on Taxi CCTV**
Presentation by Gary Jarvis, from Extron Ltd.
5. **Taxi Cab Protector demonstration**
Demonstration by Cab Protector.
6. **Appointment of Vice-Chair**

For Members to note the resignation of Councillor E Smith as Vice Chair and seek a replacement.

7. **Minutes (Pages 1 - 4)**

To confirm and sign as a correct record the minutes of meeting of the Licensing and Public Safety Committee held on 11 March 2009.

8. **Minutes of the Licensing Sub-Committees**

To confirm and sign as a correct record the minutes of the meetings of the Licensing Sub-Committee on the following dates:

- a) 4 March 2009 (Pages 5 - 6)
- b) 1 April 2009 (Pages 7 - 8)
- c) 29 May 2009 (Pages 9 - 10)

9. **Licensing Liaison Panel minutes 16 March 2009 (Pages 11 - 12)**

Members to note the minutes of the last Licensing Liaison Panel.

10. **Taxi and Private Hire Consultation on Department of Transport Guidance (Pages 13 - 52)**

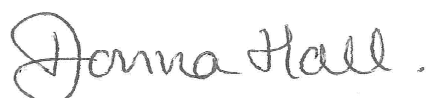
To receive and consider the enclosed report of the Corporate Director (Neighbourhoods).

11. **Licensing and Registration - Summary of Activity from 10 January 2009 - 18 May 2009 (Pages 53 - 58)**

To received and note the enclosed report from the Corporate Director (Neighbourhoods).

12. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Donna Hall
Chief Executive

Cathryn Barrett
Democratic and Member Services Officer
E-mail: cathryn.barrett@chorley.gov.uk
Tel: (01257) 515122
Fax: (01257) 515150

Distribution

1. Agenda and reports to all Members of the Licensing and Public Safety Committee (Councillor Keith Iddon (Chair), and Councillors Edward Smith, Judith Boothman, Terry Brown, Magda Cullens, David Dickinson, Doreen Dickinson, Anthony Gee, Marie Gray, Pat Haughton, Hasina Khan, Marion Lowe, Thomas McGowan, Debra Platt, Ralph Snape, John Walker and Stella Walsh for attendance.
2. Agenda and reports to Stephen Culleton (Licensing Manager), Bob Beeston (Licensing Enforcement Officer), Janet Brereton (Legal Assistant (Licensing and Registration)) and Cathryn Barrett (Democratic and Member Services Officer) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون کیجئے: 01257 515823

This page is intentionally left blank

Licensing and Public Safety Committee**Wednesday, 11 March 2009**

Present: Councillor Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Judith Boothman, Magda Cullens, David Dickinson, Doreen Dickinson, Anthony Gee, Pat Haughton, Catherine Hoyle, Keith Iddon, Hasina Khan, Marion Lowe, Thomas McGowan, Debra Platt, Ralph Snape and Stella Walsh

09.LPS.01 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor John Walker.

09.LPS.02 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

09.LPS.03 MINUTES

The minutes of the meeting of the Licensing and Public Safety Committee held on 3 February 2009 were confirmed as a correct record and signed by the Chair.

09.LPS.04 PRESENTATION ON LICENSING BUSINESS IMPROVEMENTS

The Licensing Manager gave a presentation to the Committee on the achievements of the Licensing Section in the last year, and looked forward detailing the challenges ahead.

The next 12 months would see the Licensing Section, being integrated with the Neighbourhoods Department, more skills development for officers, co-ordinate major events through MALT, formulate a response to the Department of Transport consultation on disability access to taxis and the review of various policies. The Council has also volunteered to be one of a handful of Councils to pioneer LBRO/LACORS.

09.LPS.05 SUMMARY OF SUB COMMITTEE DECISIONS FOR 2008/2009

The Committee received a report from the Corporate Director of Governance on the various decisions taken by the Licensing Act 2003 Sub Committee and the General Licensing Sub Committee in 2008/2009.

The Chair advised the meeting that all future minutes of Sub Committee meetings will be brought before the Licensing and Public Safety Committee for them to be confirmed as a correct record and signed.

Resolved – 1) That the report be noted.

2) Future minutes to be submitted to the next meeting of the Licensing and Public Safety Committee to be agreed and signed by the Chair.

09.LPS.06 REVIEW OF HACKNEY CARRIAGE VEHICLE LICENCE POLICY

The Committee received a report from the Corporate Director of Governance asking for members to review the Council's policy of maintaining a fixed number of hackney licensed vehicles and consider issues relating to the accessibility of the taxi fleet to customers with disabilities.

Transport Planning International (TPI) had been asked to conduct a survey in to the Hackney Carriage market in Chorley Borough, TPI representative Paul McKee presented the findings of the survey. Mr McKee advised members that since the completion of the survey, it had been announced the Department of Transport is expected to issue further guidance later in the year and that the recommendations in the survey may have been different if this guidance had been available in advance of the survey being conducted.

At the end of the presentation the Chair thanked Mr McKee on his presentation and opened discussion on the recommendations.

Resolved – 1) That the Committee delayed the decision for 6 months until the guidance has been issued by the Department of Transport.

2) That the Corporate Director of Governance refer the Unmet Demand Survey to the Overview and Scrutiny Committee for review.

09.LPS.07 SCHEME OF DELEGATION

The Committee received a report from the Corporate Director of Governance to agree changes to the Council's Scheme of Delegation in respect of Licensing matters upon the transfer of responsibilities for Licensing from the Corporate Governance Directorate to the Neighbourhoods Directorate and to review the arrangements for Sub Committee hearings.

In response to a member question the Corporate Director of Neighbourhoods advised that Licensing Section would change from its present format. Under new proposals it is proposed that the Enforcement Officers would be brought together and while specialising in their own areas of enforcement they would also have the opportunity to develop other skills in different areas of enforcement. The rest of the Licensing Section will join a wider team. It is envisaged that the changes will benefit customers, increase the skills of officers while brining continuity to the service.

Last year the number of members sitting on the Sub Committee hearing Hackney Carriage and Private Hire applications was reduced to 5. Members have been pleased with this arrangement, and did not feel that any changes to membership of the panels would be beneficial at present.

Members raised concern that the Sub Committee's were starting at 10am when previously it had been agreed for the meetings to commence at 2pm. Only meetings, which were expected to be lengthy, would commence at 10am.

Resolved – 1) That the Corporate Director (Neighbourhoods) be given delegated powers to exercise the Licensing functions set out in the appendix of the report as from the date when the Licensing Section transfers to the Neighbourhoods Directorate.

That membership of Sub Committee's remained unchanged, and the time of the Sub Committee's would be reviewed.

09.LPS.08 ANNUAL REVIEW OF LICENCE FEES

The Committee was asked to consider a report from the Corporate Director of Governance that presented the results of the 28 days consultation period for the proposed licensing fees for 2009/2010.

At the Licensing and Public Safety Committee on 3 February 2009 members approved a report subject to the statutory 28 days consultation period where the proposed fees are advertised in the local press and at the Council offices. The Licensing Manager confirmed that the proposed fees appeared in the Public Notices section of Chorley Guardian on 3 February 2009 and that the fees have also been displayed at the reception area of the Town Hall and Civic Offices, Union Street for the required 28 consecutive days.

The Licensing Manager had not received any representations on the proposed review.

The Licensing Manager made a correction to the date in the title of the table on appendix 1 (page 62). The date should read 'Taxi Fees from 1 April 2009'. The Licensing Manager confirmed that it was only this report that had the incorrect date and that the correct date was on the documents that went for out for consultation.

RESOLVED – That the licensing fees and charges, as set out in the report, be approved for adoption and members instruct the Corporate Director of Governance to implement the recommendations with effect from 1 April 2009.

09.LPS.09 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local government Act 1972.

09.LPS.10 ALLOCATION OF A HACKNEY CARRIAGE LICENCE

The Committee was asked to consider the report submitted by the Corporate Director of Governance and approve the reissue of a Hackney Carriage licence.

Members were advised that a licence relating to a Hackney Carriage was due to expire. On the 27 February 2009 the Licensing Office received notice that the vehicle had been presented for testing at a Council approved taxi testing garage. The vehicle had failed the test and the garage had issued a VT30 refusal of an MOT certificate as the vehicle was so defective it would be dangerous to test. The Council has not had any other suitable vehicle presented for the purpose of licensing prior to the expiry of the Hackney Carriage vehicle licence and on the 28 February 2009 the licence expired.

Members were reminded that should a proprietor fail to renew the licence, the provision of that licence will be the responsibility of the Council to grant the licence to any person who can fulfil the required criteria. As the Council restrict the number of Hackney Carriage vehicle licences the licences do command an intrinsic value, which could be realised, should a proprietor wish to transfer the licence and vehicle.

It is therefore appropriate that special measures be taken when allocating a Hackney Carriage vehicle licence, in a fair and transparent way. Previously this has been by picking a name out of a tombola from those applicants who have met the required criteria. This caused some concern at the time, but the procedure, which the Government finds acceptable, is thought to be the most fair and transparent way of awarding the licence.

RESOLVED – The Committee, by a majority decision, agreed the administration process in issuing a new licence be delegated to the Licensing Manager, who will then arrange a tombola to be drawn at the next Licensing and Public Safety Committee on 10 June 2009.

Chair

General Licensing Sub-Committee**Wednesday, 4 March 2009**

Present: Councillor Edward Smith (Chair) and Councillors Doreen Dickinson, Hasina Khan and Debra Platt

09.LSC.42 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Stella Walsh.

09.LSC.43 DECLARATIONS OF ANY INTERESTS

There were no declarations of interests in any of the agenda items by any of the Sub-Committee members.

09.LSC.44 MINUTES

RESOLVED – That the minutes of the meeting of the General Licensing Sub-Committee held on 19 February 2009 be received.

09.LSC.45 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local government Act 1972.

09.LSC.46 APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Sub-Committee considered a report of the Director of Corporate Governance seeking the Sub-Committee's instructions on an application from Mr L.A.C. for a licence to drive a private hire vehicle.

The application could only be determined by the General Licensing Sub-Committee as the applicant had failed to notify the Council of various change of address as required to do so by the conditions attached to the private hire driver's licence.

Mr L.A.C. was the holder of a private hire driver's licence that expired on 15 January 2009 but had failed to renew his licence prior to the expiry date. A new application for a private hire driver's licence was submitted on 25 January 2009. Mr L.A.C. had a valid medical and Criminal Records Bureau check in respect of that application and it was at this point Licensing officers became aware that Mr L.A.C. had moved address and not informed the Council in writing.

On 30 January 2009 Mr L.A.C. attended Council Offices and was interviewed in accordance with the Police and Criminal Evidence Act 1984, Codes of Practice. During this interview Mr L.A.C. indicated that he had resided at 3 separate addresses, which included his current address. During the interview Mr L.A.C.

also indicated that he had misplaced his private hire driver's badge in November 2008 and admitted driving a private hire vehicles without displaying his badge from November 2008 until the expiry of this licence.

Chorley Council's conditions attached to a private hire driver's licence state that, 'If a driver changes his address, the proprietor shall notify the Council in writing of any change in address within 7 days of such a change taking place.' Mr L.A.C. has admitted that he had changed his address several times during the term of his private hire driver's licence and had not conformed to the Council's private hire driver's licensing conditions by informing the Council of the change in writing.

Section 54(2)(a) of the Local Government (Miscellaneous Provisions) Act 1976 states: 'A driver shall at all times when acting in accordance with the driver's licence granted to him wear such badge in such position and manner as to be plainly and distinctly visible'. Section 54(2)(b) of the Act states: 'If any person without reasonable excuse contravenes the provisions of this subsection, he shall be guilty of an offence'. A report has been submitted to the Corporate Director of Governance to determine how to deal with the offence in contravention of Section 54 of the Act.

Mr L.A.C. attended the Sub-Committee to put forward representations in support of his application. Mr L.A.C. explained the circumstances behind his changes of address, and acknowledged that he should have informed the Council on each occasion he changed address. It was during this time he lost his badge. Mr L.A.C. explained that he is due to sign a 2 year tenancy on a property shortly. Mr L.A.C. advised the Committee that he had also given his parents address as a postal address, as this was the business address from where he worked full time. Mr L.A.C. informed the Committee he is looking after the taxi business for his father whilst his father is ill. Mr L.A.C. added that he regularly receives mail and telephone calls at the business address.

The Sub-Committee considered all aspects of the case, including the applicant's representations and personal circumstances.

The Sub-Committee **RESOLVED** - unanimously to grant Mr L.A.C. a private hire vehicle driver's licence. The Chair had stressed to the applicant the importance of keeping the Licensing Section informed of any change in address.

Chair

General Licensing Sub-Committee**Wednesday, 1 April 2009**

Present: Councillor Iris Smith (Chair) and Councillors David Dickinson, Keith Iddon, Hasina Khan and Stella Walsh

09.LSC.47 APOLOGIES FOR ABSENCE

There were no apologies for absence.

09.LSC.48 DECLARATIONS OF ANY INTERESTS

There were no declarations of interests in any of the agenda items by any of the Sub-Committee members.

09.LSC.49 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT

There were no items for consideration.

09.LSC.50 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local government Act 1972.

09.LSC.51 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES

The Sub-Committee considered a report of the Director of Corporate Governance seeking the Sub-Committee's decision on an application from Mr G. for a licence to drive a hackney carriage/private hire vehicle.

The application could only be determined by the General Licensing Sub-Committee as the applicant had relevant driving offences.

When Mr G made his application on 28 November 2008, his driving licence indicated he had received 3 penalty points for speeding. Due to administrative issues with the applicant's CRB check the application had been delayed, and resulted in the applicant being asked to produce his driving licence for a second time. This revealed that Mr G had received an additional 5 penalty points for a speeding conviction, and was disqualified from driving on 29 October 2008 under the Road Traffic (New Drivers) Act 1985.

Mr G had provided a certificate which showed that he passed a practical driving test on 23 February 2009, and the CRB check revealed that he had no convictions or cautions. Mr G was currently taking a language course to improve his English.

The Sub-Committee was also informed that Mr G had approximately 2 years and 5 months driving on a full UK driving licence, but there was a period of

approximately 4 months when he had been disqualified from driving. The applicant had driven on an international driving permit for approximately 9 months. Members were reminded that the Council normally requires an applicant for a hackney carriage/private hire driver's licence to demonstrate at least 3 years driving experience as the holder of a full driving licence.

Mr G attended the Sub-Committee to put forward his representations in support of the application. The applicant explained the circumstances behind him committing the two speeding offences, and how the impact of the speeding ban had affected his life since.

The Sub-Committee considered all elements and aspects of the application, including the applicant's representations, the applicants driving experience (particularly in the UK); the potential offer of employment, and the Council's policy relating to relevant convictions and the minimum of 3 years driving experience on a full UK driving licence .

The Sub-Committee were concerned that the applicant had received 8 penalty points within the first two years of holding a full UK driving licence. Members had been impressed by the way in which the applicant had presented himself at the Sub-Committee, the steps he had taken to improve his situation, and acknowledged that he had tried hard to gain employment.

After considering and taking due account of the relevant factors, the Sub-Committee unanimously **RESOLVED – to grant Mr G a hackney carriage/private hire vehicle driver's licence. However, the Sub-Committee emphasised how seriously it viewed speeding convictions especially with such a recently acquired licence. The applicant was advised that should he receive further speeding penalties, another hearing before the Sub-Committee would be arranged, which could result in the revocation of his hackney carriage/private hire driver's licence.**

Chair

General Licensing Sub-Committee**Friday, 29 May 2009**

Present: Councillor Thomas McGowan (Chair) and Councillors Pat Haughton, Hasina Khan and Debra Platt

09.LSC.01 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor David Dickinson.

09.LSC.02 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest submitted by the Sub-Committee Members.

09.LSC.03 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – that the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

09.LSC.04 PRIVATE HIRE OPERATOR ALLOWING VEHICLES TO BE USED IN DANGEROUS CONDITIONS

The Sub-Committee had been convened to consider a report of the Corporate Director of Neighbourhoods, drawing attention to the unroadworthy condition of vehicles operated by the Private Hire Operator in accordance with approved policy.

The Licensing Enforcement Officer presented the report highlighting the various defects and explained technicalities.

The Operator accompanied by a relative and solicitor, attended the meeting to put forward representations urging the Sub-Committee not to revoke the Operator's Licence.

It was accepted that the issuing of an advisory notice confirmed that the vehicle had passed an MOT, and that there had been no follow up checks made by the Licensing Office to ascertain if the defects on the advisory notice had been addressed.

It was also acknowledged that there had been issues relating to the operation of the Private Hire Operator in the past under different operators. However, the Operator had not received an official warning. The Licensing Enforcement Officer confirmed that the Operator had been given several verbal warnings concerning the state of vehicles which he operates.

The Operator's Solicitor suggested that a warning would be an appropriate response by the sub-committee which should lead to the Operator taking on board the need to rectify problems in the maintenance of vehicles identified in the report.

The Operator, his relative, and solicitor together with the Licensing Officer left the meeting at this stage whilst the Members deliberated.

The Sub-Committee considered all representations, taking in to account the representations from the Operator, his relative, solicitor and the Council's Licensing Officer.

After considering and taking due account of the relevant factors, the Sub-Committee unanimously **RESOLVED** to revoke the Operator's Licence under s.62(1)(d) of the Local Government (Miscellaneous Provisions) Act 1976 for the following reasons:

(i) The Sub-Committee noted that the Licensing Enforcement Officer had given verbal warnings to the Operator previously, which had not been acted upon.

(ii) The Operator had persistently presented vehicles for testing in an unroadworthy condition.

(iii) Members considered that the current regime for checking vehicles had not been rigorous enough. The Operator's Solicitor had acknowledged this.

(iv) The Sub-Committee considered that the above posed a risk to public safety by allowing members of the public to be transported in unroadworthy vehicles.

The Operator has the right to appeal to the Magistrates' Court within 21 days.

Chair

LICENSING LIAISON PANEL – 16 March 2009

PRESENT Councillor Iris Smith, Councillor Edward Smith, Stephen Culleton, Janet Brereton, Azad Malik, Phil Cooper, Antony Price, Paul Clitheroe, Shak Ahmed, Mohammed Sajid, Hifzur Mala and David Hamer.

1 APOLOGIES: Peter Verhaege, Tony Bushell, Conrad Heald and Bob Beeston

2 MATTERS ARISING FROM LAST MEETING

2.1 Amendment to Minutes 5.15 regarding 7-inch rule – Janet Brereton pointed out an error on the minutes relating to the 12 January 2009 meeting. This should refer to the Vauxhall Astra Estate (from 2004 onwards) and not the Vauxhall Vectra.

2.2 Dates not running concurrent - Following a report taken to the appropriate committee in response to requests from proprietors, Licensing has now put in place a 13 month MOT rule. This means that a vehicle can be tested up to 4 weeks prior to its test date and still retain its original date. For example, if a vehicle is due for test on 20th April 2009 and goes for a test on 2nd April 2009 the test expiry date will be 20th April 2010. The same rule will apply for 4 and 6 monthly tests. Where licence expiry dates and test expiry dates are out of sync, it may be possible to request a 5 month licence to bring them into line.

2.3 Number of vehicles not relicensed since new testing arrangements introduced (November 2008) – Unfortunately, this information was not available although it was thought to be about 30 vehicles. Up to date information will be provided at the next meeting of the Licensing Liaison Panel.

3 Licensing's proposed move to Bengal Street – Everyone present was informed that Licensing would be moving to the Council's Bengal Street Depot by April 2009. Everyone was informed that there are no reception facilities at Bengal Street and meetings and appointments etc would be via pre-arranged appointment at Union Street, although staff would still be available by telephone and email. Concern was expressed as to access to the Licensing staff and anyone with any concerns was advised to write to Councillor I Smith.

4 New fees and charges in force from 1 April 2009 – Stephen Culleton informed everyone of the new fees and charges which were approximately 3%. The report had been accepted by the relevant Licensing Committee and advertised. No objections had been received and the new fees would be applied from 1 April 2009. There were no questions from those present.

5 PUB WATCH ITEMS

David Hamer reported that Peter Verhaege had attended the National Pub Watch 3rd Annual Conference.

He also informed the meeting that there had recently been an Extraordinary Meeting of Pub Watch attended by representatives of the Chorley Guardian. This meeting produced a joint initiative to promote Chorley and draw attention to some of the more positive stories in and around the town, as well as look at a joint charitable initiative. Discussion followed.

Stephen Culleton informed the panel about a discussion document out for consultation at present relating to alcohol harm. This includes strategies for taxis and pubs in relation to the late night economy.

6 POLICE ITEMS

There were no officers present, but Stephen Culleton informed the panel that there would be an alcohol conference taking part at the Town Hall, Chorley on 11 May

2009. This was aimed at off and on-licence trade. There would be presentations by the police, fire brigade and licensing. Invitations would be sent out in due course.

7 HACKNEY/PRIVATE HIRE ITEMS

7.1 Bumps, scratches and burns – (deferred from the last meeting) Stephen Culleton explained that there would be guidelines for testers to work with. He said he would encourage testers to be firm to ensure a fleet of vehicles which look presentable. He agreed that minor scuffs will go through, but not scratches to metal for example. Burns on seats would need to be addressed.

7.2 Clarification on Tyre depth – clarification was handed round which stated the following:

Vehicle safety report (taxi form 110) – road tyres and spare wheel must have 3mm of tread over central $\frac{3}{4}$ of tread width.

Taxi test (taxi form 65 new C) item 17 spare wheel must have 3mm tread depth over central $\frac{3}{4}$ of tread width

MOT test standards road tyres must have 1.6mm of tread over central $\frac{3}{4}$ of tread width; spare tyre is not tested on MOT.

8 ANY OTHER BUSINESS

8.1 Unmet Demand Survey – the survey has been deferred for 6 months. This was a committee decision and committee had taken into account that during the survey the Department of Transport consultation document came out. The consultation covers all hackney carriages having to be disabled access by 2010 (Chorley is identified as being in Phase A). A panel member asked whether the consultation document is relevant given that the survey had been based on unmet demand. A full discussion took place and the panel was informed that the Council has to be seen to look at all the issues involved when making a final decision about the unmet demand and this included numbers and issues such as disabled access. The unmet demand survey itself makes reference to impending legislation.

8.2 Youth Services – Stephen Culleton had been asked to find out whether a mural which was due to be painted in conjunction with Youth Services could include a hackney carriage. A contribution towards the costs etc was requested and Mohammed Sajid said that he would speak to the rest of the trade to canvass opinion.

8.3 Newsletter – Stephen Culleton drew the panel's attention to the newsletter which was in the process of being compiled.

8.4 Message from Chair of Licensing – Councillor Iris Smith thanked everyone for their attendance and participation in the Licensing Liaison Panel and the recent workshops.

9 DATE AND TIME OF NEXT MEETING – the next meeting has been arranged for Monday 8 June 2009 at 10.30am in the Council Chamber, Town Hall, Chorley.



Report of	Meeting	Date
Corporate Director (Neighbourhoods)	Licensing and Public Safety Committee	10 June 2009

TAXI AND PRIVATE HIRE - CONSULTATION ON DEPT OF TRANSPORT REVISED GUIDANCE

PURPOSE OF REPORT

1. To advise Members of a current consultation being undertaken by the Department of Transport concerning revised guidance to local authorities on taxi and private hire vehicles and to seek Members response to the Department of Transport current consultation on the proposed revisions to the guidance.

RECOMMENDATION(S)

2. Members are asked to confirm that the Council responds to the consultation and approve the responses proposed.

EXECUTIVE SUMMARY OF REPORT

3. The Department of Transport issued guidance to local authorities on the implementation of licensing controls for taxis and private hire vehicles in 2006. This guidance is currently being reviewed and the Department of Transport is conducting an open consultation on the review between 5 May 2009 and 28 July 2009.
4. Previous guidance has been well received and utilised by local authorities and this review provides the Council with an opportunity to influence any future guidance that is issued.
5. The draft proposed guidance is appended to this report (Appendix A) and poses twenty four questions.
6. For Members convenience the questions are replicated below with proposed responses which have been drafted the Neighbourhoods Directorate Licensing Team

REASONS FOR RECOMMENDATION**(If the recommendation is accepted)**

7. To participate in the consultation process and ensure the Council's views are represented

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Non participation in the consultation process was rejected as the Council's views ought to be considered as part of the consultation process.

CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances	√	Develop the Character and feel of Chorley as a good place to live	√
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	√

CONSULTATION QUESTIONS AND PROPOSED RESPONSES

10. The consultation questions are reproduced below with proposed responses in bold. These should be read in conjunction with the draft Guidance at Appendix A

Q1. Have you found the Best Practice Guidance useful?

Yes - the best practice guidance is useful in terms of proposed future changes to the licensing conditions for drivers and vehicles.

Q2. Has your local authority, since publication of the Guidance in October 2006, undertaken a review of its taxi and PHV licensing policies?

Since October 2006 private hire and hackney carriage vehicle licence conditions have been changed, via the Council's Licensing Committee to ensure vehicle licensed as taxis are suitable to carry the number of licensed passengers and their luggage comfortably and safely.

Q3. Can you offer any examples of instances where local policies have been amended to reflect the advice in the original Best Practice Guidance?

Paragraph 27 of the guidance mentions general criteria for types of taxis and maintaining flexibility for new vehicle types. Conditions have been changed to ensure a wide range of vehicles fit our licensing conditions but excludes vehicles which would not be suitable as taxis such as very small vehicles.

Q4. Do you consider that any issues in the original guidance where changes are not proposed should be revised?

No - the draft revised guidance appears to be comprehensive.

Q5. Do you consider that there are issues which are not currently covered in the Guidance which could usefully be covered?

Proposed revisions to the Guidance

In many cases, the proposed revisions have been included to reflect developments since the original guidance was published (eg the fact that we have now published guidance about stretched limousines and the fact that the Legislative Reform Order concerning the amalgamation of taxi licensing zones has now been made). In other cases, we are proposing a substantive change to the guidance which the Department is providing (for example on medical fitness). We would welcome feedback on any of the revisions which we have proposed in the draft guidance.

Disability access and the type of vehicles being used is currently being looked at in detail, however the consultation does not appear to take into account the physical abilities of a taxi driver who may have to assist disabled passengers, pushing a large person in a wheelchair up a ramp is not something all taxi drivers are capable of doing safely. Consideration should be given to assessing drivers abilities to assisting disabled passengers.

Q6. Do you have any comments on the proposed guidance about accessibility (paras13-19)? [Note, there is a separate consultation exercise about accessibility standards for taxis; this consultation asks about the advice we are currently offering to local authorities.]

Our experience is that access to taxis for disabled people is a complicated subject and we have found that taxis designed for disabled access are not always popular with people who do not have disabilities. This can present problems when passengers seek to choose a saloon car in preference to a disabled access vehicle.

Q7. Do you have any comments on the proposed guidance about the duty to carry assistance dogs (paras 20-21)?

The guidance regarding the duty to carry assistance dogs gives the option of dealing with any breaches of this legislation either via the magistrates court or through the licensing enforcement regime. We feel that there needs to be consistency in how these matters are dealt with particularly in view of the large fines that can be imposed.

Q8. Do you have any comments on the proposed guidance about duties under the Part 3 of the Disability Discrimination Act 1995 (paras 22-25)?

The responsibilities under section 3 of the Disability Discrimination Act 2005 can be addressed by adequate training of drivers. This Council intends to introduce proposals for appropriate BTEC or NVQ training for drivers later this year.

Q9. Do you have any comments on the inclusion of a reference to the national inspection standards drawn up by the Public Authority Transport Network (para 32)?

National inspection standards are useful when formulating testing conditions for taxis and we would welcome their inclusion.

Q10. Do you have any comments on the proposed guidance about drivers' personal security (paras 29; and 33-35)?

Drivers personal security is important and we actively encourage drivers to fit security devices such as CCTV cameras driver screens.

Q11. Do you have any comments on the proposed guidance about stretched limousines (paras 38-40)?

Stretched limousines should not be excluded from taxi licensing, however ensuring they are safe is a complex problem requiring specialist knowledge. Any guidance on structural and load standards would be welcomed. We currently reviewing our policy with respect to these types of vehicle in consultation with the national limousine association.

Q12. Do you have any comments on the proposed guidance about criminal record checks on drivers (paras 54-57)?

We currently check driver's criminal records via CRB to an enhanced level. Since the abolition of the Rehabilitation of Offenders Act we have formulated comprehensive guidance for Committee Members when considering convictions relating to taxi drivers. These are used as a reference tool for Members when making decisions to revoke or suspend taxi driver's licences.

Q13. Do you have any comments on the proposed guidance about the Notifiable Occupations Scheme (paras 58-61)?

The notifiable occupations scheme is heavily reliant on the police and courts knowing that an individual is a taxi driver. If they are unaware that a person is a taxi driver they will not notify the Licensing Authority of any

convictions. Drivers, knowing that a conviction can affect their licence, have a tendency not to inform the courts of their occupation if they can avoid it. Intelligence sharing between neighbouring authorities and the police is effective but guidance on developing a national scheme would enhance this.

Q14. Do you have any comments on the proposed guidance about Immigration checks (para 62)?

Employers are under a legal obligation to check the immigration status of employees, Councils do not employ taxi drivers, and the majority are self employed even if they work for a large operator. Councils can either have a simple procedure such as a question on a driver's application or renewal form asking if the applicant has the legal right to work in the UK or they can ask for documentation to support the applicant's right to work in the UK. However the paperwork issued by immigration authorities is easily forged and we would welcome guidance on how a more robust approach to immigration checks can be applied.

Q15. The Government is minded to remove reference to the exceptional C1 arrangements in the original guidance. However, in making a final decision, we would welcome feedback from stakeholders about the possible change. Do you have any evidence about the extent to which taxi/PHV drivers are currently licensed on the basis of the C1 arrangements (paras 63-64)?

We do not have any driver's who are licensed under the C1 arrangements which refer to insulin treated diabetes.

Q16. Do you think that it is appropriate for the proposed guidance to make no reference to the use of the C1 arrangements for insulin-treated drivers; please explain your reasons (paras 63-64)?

We currently rely on the extensive DVLA guidance already in place for C1 licensing arrangements so we feel that it does not need to be repeated in this guidance.

Q17. Do you have any comments on the proposed guidance about medical fitness (other than comments in relation to the C1 arrangements) including the proposed references to use of medical practitioners who are trained in the application of Group 2 medical standards? Would this add to costs? If so, would this be justified? (paras 63-66)?

If an applicant for a taxi drivers licence fails to meet group two medical standards for fitness to drive they have a right to put the application before committee members to decide if they should be granted a licence, it is unwise to ask committee members to make decisions based on medical evidence as they are not qualified to make medical decisions, they should be advised by a suitably qualified medical practitioner, this would incur extra cost but it would be minimal as our experience is that the number of drivers who are referred on medical grounds is negligible.

Q18. Do you have any comments on the proposed guidance about language proficiency (para 69)?

Our knowledge test for taxi driver's ensures they have sufficient language skills to communicate effectively with passengers. Guidance on how to apply this in a manner that ensures local authorities equality and diversity commitments are adequately met would be welcome.

Q19. Do you have any comments on the proposed guidance about other training (para 70)?

The Council are considering implementing either NVQ or BTEC training for drivers and consider this level should be implicit in any guidance issued.

Q20. Do you have any comments on the proposed guidance about topographical knowledge (paras 71-72)?

The Council have separate tests for hackney carriage and private hire driver's to test their local knowledge as a condition of licensing. The guidance should be more explicit on what 'bearing in mind' means.

Q21. Do you have any comments on the proposed guidance about criminal record checks on PHV operators (para 74)?

Unspent conviction checks for operators would be appropriate where the operator was not a licensed taxi driver. Licensed taxi driver's already have an enhanced CRB check.

Q22. Do you have any comments on the proposed guidance about the repeal of the PHV contract exemption (paras 78-79)?

Since the abolition of the private hire exemption under Sec. 53 of the Road Safety Act 2006 we have found that many vehicles technically fall within private hire licensing. Whilst some are easily enforced, such as chauffer driven vehicles operating under contract hire, others are not easily enforced such as private hospital cars taking patients to hospitals. We would welcome additional clarification within the guidance on this matter.

Q23. Do you have any comments on the proposed guidance about enforcement (paras 80-84)?

The Council undertakes enforcement by way of spot checks and operations with VOSA and the police. Suspension notices are issued for major faults which constitute a danger and defect notices are issued for minor faults. Consideration could be given to delegating powers to local authority officers to issue fixed penalty tickets for construction and use offences such as defective tyres.

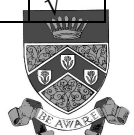
Q24. Do you have any comments on the proposed guidance about taxibuses (para 90)?

The Council fails to see the need for a taxi bus service since the needs of passengers are felt to be adequately met by normal taxi and bus services.

IMPLICATIONS OF REPORT

11. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	√
Human Resources		Equality and Diversity	√



Legal	√	No significant implications in this area	
-------	---	--	--

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
S Clark	5732	22 May 2009	Lic/consult

This page is intentionally left blank

**TAXI AND PRIVATE HIRE VEHICLE LICENSING:
BEST PRACTICE GUIDANCE**

TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE

Note - The proposed revisions to the existing Guidance are set out in bold italic and are highlighted in grey.

<u>Table of contents</u>	<u>Para Nos</u>
Introduction	1-5
The role of taxis and PHVs	6-7
The role of licensing: policy justification	8-10
Scope of the guidance	11
Consultation at the local level	12
Accessibility	13-25
Vehicles	26-40
Quantity restrictions of taxi licences	41-47
Taxi fares	48-50
Drivers	51-72
PHV operators	73-77
Repeal of the PHV contract exemption	78-79
Enforcement	80-84
Taxi Zones	85-87
Flexible transport services	88-91
Local transport plans	92-93

Annex A - Useful questions when assessing quantity controls

Annex B - Sample notice between taxi/PHV driver and passenger

INTRODUCTION

1. ***The Department first issued Best Practice Guidance in October 2006 to assist those local authorities in England and Wales that have responsibility for the regulation of the taxi and private hire vehicle (PHV) trades.***
2. ***It is clear that many licensing authorities considered their licensing policies in the context of the Guidance. That is most encouraging.***
3. ***However, in order to keep our Guidance relevant and up to date, we embarked on a revision. We took account of feedback from the initial version [and we consulted stakeholders] in producing this revised version.***
4. ***The key premise remains the same*** - it is for individual licensing authorities to reach their own decisions both on overall policies and on individual licensing matters, in the light of their own views of the relevant considerations. ***This Guidance is intended to assist licensing authorities but it is only guidance and decisions on any matters remain a matter for the authority concerned.***
5. ***We have not introduced changes simply for the sake of it. Accordingly, the bulk of the Guidance is unchanged. What we have done is focus on issues involving a new policy (for example trailing the introduction of the Safeguarding Vulnerable Groups legislation); or where we consider that the advice could be elaborated (eg medical standards); or where progress has been made since October 2006 (eg the stretched limousine guidance note has now been published).***

THE ROLE OF TAXIS AND PHVs

6. Taxis (more formally known as hackney carriages) and PHVs (or minicabs as some of them are known) play an important part in local transport. In 2003 some 650 million journeys were made by taxi and PHV in Great Britain, and households spent around £3 billion on taxi and PHV journeys; spending by businesses and foreign visitors was a substantial extra figure. Taxis and PHVs are used by all social groups; low-income young women (amongst whom car ownership is low) are one of the largest groups of users.
7. Taxis and PHVs are also increasingly used in innovative ways - for example as taxi-buses - to provide innovative local transport services (see paras 88-91).

THE ROLE OF LICENSING: POLICY JUSTIFICATION

8. The aim of local authority licensing of the taxi and PHV trades is to protect the public. Local licensing authorities will also be aware that the public should have reasonable access to taxi and PHV services, because of the part they play in local transport provision. Licensing requirements which are unduly stringent will tend unreasonably to restrict the supply of taxi and PHV services, by putting up the cost of operation or otherwise restricting entry to the trade. Local licensing authorities should

recognise that too restrictive an approach can work against the public interest – and can, indeed, have safety implications.

9. For example, it is clearly important that somebody using a taxi or PHV to go home alone late at night should be confident that the driver does not have a criminal record for assault and that the vehicle is safe. But on the other hand, if the supply of taxis or PHVs has been unduly constrained by onerous licensing conditions, then that person's safety might be put at risk by having to wait on late-night streets for a taxi or PHV to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire.

10. Local licensing authorities will, therefore, want to be sure that each of their various licensing requirements is in proportion to the risk it aims to address; or, to put it another way, whether the cost of a requirement in terms of its effect on the availability of transport to the public is at least matched by the benefit to the public, for example through increased safety. This is not to propose that a detailed, quantitative, cost-benefit assessment should be made in each case; but it is to urge local licensing authorities to look carefully at the costs – financial or otherwise – imposed by each of their licensing policies. It is suggested they should ask themselves whether those costs are really commensurate with the benefits a policy is meant to achieve.

SCOPE OF THE GUIDANCE

11. This guidance deliberately does not seek to cover the whole range of possible licensing requirements. Instead it seeks to concentrate only on those issues that have caused difficulty in the past or that seem of particular significance. Nor for the most part does the guidance seek to set out the law on taxi and PHV licensing, which for England and Wales contains many complexities. Local licensing authorities will appreciate that it is for them to seek their own legal advice.

CONSULTATION AT THE LOCAL LEVEL

12. It is good practice for local authorities to consult about any significant proposed changes in licensing rules. Such consultation should include not only the taxi and PHV trades but also groups likely to be the trades' customers. Examples are groups representing disabled people, or Chambers of Commerce, organisations with a wider transport interest (eg Transport 2000 and other transport providers), womens' groups or local traders.

ACCESSIBILITY *[The Department will consider emerging conclusions from the February 2009 accessibility consultation exercise; this section is therefore subject to change.]*

13 Local licensing authorities will want to consider how accessible the vehicles they license as taxis are for disabled people. Disabled people often use wheelchairs but it should be remembered that there are many who do not and who have other needs that ought to be taken into account.

14. Licensing authorities will know that the Department has for some years been working on proposals that would substantially improve taxi provision for people

with disabilities. The Department recently consulted on this issue – further information will be available at the end of 2009. In the meantime, licensing authorities are encouraged to introduce taxi accessibility policies for their areas. The Department has previously issued detailed guidance on this to local licensing authorities.

15. Different accessibility considerations apply between taxis and PHVs. Taxis can be hired on the spot, in the street or at a rank, by the customer dealing directly with a driver. PHVs can only be booked through an operator. It is important that a disabled person should be able to hire a taxi on the spot with the minimum delay or inconvenience, and having accessible taxis available helps to make that possible. For PHVs, it may be more appropriate for a local authority to license any type of saloon car, noting that some PHV operators offer accessible vehicles in their fleet. The Department has produced a leaflet on the ergonomic requirements for accessible taxis that is available from:
<http://www.dft.gov.uk/transportforyou/access/taxis/pubs/research>

16. The Department is aware that, in some cases, taxi drivers are reluctant to pick up disabled people. This may be because drivers are unsure about how to deal with disabled people, they believe it will take longer for disabled people to get in and out of the taxi and so they may lose other fares, or they are unsure about insurance arrangements if anything goes wrong. It should be remembered that this is no excuse for refusing to pick up disabled people and that the taxi industry has a duty to provide a service to disabled people in the same way as it provides a service to any other passenger. Licensing authorities should do what they can to work with operators, drivers and trade bodies in their area to improve drivers' awareness of the needs of disabled people, encourage them to overcome any reluctance or bad practice, and to improve their abilities and confidence. Local licensing authorities should also encourage their drivers to undertake disability awareness training, perhaps as part of the course mentioned in the training section of this guidance that is available through Go-Skills.

17. In relation to enforcement, licensing authorities will know that section 36 of the Disability Discrimination Act 1995 (DDA) was partially commenced by enactment of the Local Transport Act 2008. The duties contained in this section of the DDA apply only to those vehicles deemed accessible by the local authority being used on "taxibus" services. This applies to both hackney carriages and private hire vehicles.

18. Section 36 imposes certain duties on drivers of "taxibuses" to provide assistance to people in wheelchairs, to carry them in safety and not to charge extra for doing so. Failure to abide by these duties could lead to prosecution through a Magistrates' court and a maximum fine of £1,000.

19. Local authorities can take action against non-taxibus drivers who do not abide by their duties under Part 3 or under section 37 of the DDA (see below). This could involve for example using licence conditions to implement training requirements or, ultimately, powers to suspend or revoke licences. Some local authorities use points systems and will take certain enforcement actions should

drivers accumulate a certain number of points. Full commencement of the provisions of section 36 was explored in the consultation mentioned above.

Duties to carry assistance dogs

20. Since 31 March 2001, licensed taxi drivers in England and Wales have been under a duty (under section 37 of the DDA) to carry guide, hearing and other prescribed assistance dogs in their taxis without additional charge. Drivers who have a medical condition that is aggravated by exposure to dogs may apply to their licensing authority for an exemption from the duty on medical grounds. Any other driver who fails to comply with the duty could be prosecuted through a Magistrates' court and is liable to a fine of up to £1,000. Similar duties covering PHV operators and drivers have been in force since 31 March 2004.

21. Enforcement of this duty is the responsibility of local licensing authorities. It is therefore for authorities to decide whether breaches should be pursued through the courts or considered as part of the licensing enforcement regime, having regard to guidance issued by the Department.

Duties under the Part 3 of the DDA

22. The Disability Discrimination Act 2005 amended the DDA 1995 and lifted the exemption in Part 3 of that Act for operators of transport vehicles. Regulations applying Part 3 to vehicles used to provide public transport services, including taxis and PHVs, hire services and breakdown services came into force on 4 December 2006. Taxi drivers now have a duty to ensure disabled people are not discriminated against or treated less favourably. In order to meet these new duties, licensing authorities are required to review any practices, policies and procedures that make it impossible or unreasonably difficult for a disabled person to use their services.

23. The Equality and Human Rights Commission (formerly the Disability Rights Commission) has produced a Code of Practice to explain the Part 3 duties for the transport industry; http://drc.uat.rroom.net/PDF/4008-517-provision_and_use_of_transport_vehicles_cop.pdf. The Part 3 duties also now demand new skills and training is available through GoSkills, the sector skills council for road passenger transport. Further details are provided in the training section of this guidance.

24. Local Authorities may wish to consider how to use available courses to reinforce the duties drivers are required to discharge under section 3 of DDA, and also to promote customer service standards.

25. In addition recognition has been made of a requirement of basic skills prior to undertaking any formal training. On-line tools are available to assess this requirement prior to undertaking formal training.

VEHICLES

Specification Of Vehicle Types That May Be Licensed

26. The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as taxis or PHVs. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

27. Normally, the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed, local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account.

28. It is suggested that local licensing authorities should give very careful consideration to a policy which automatically rules out particular types of vehicle or prescribes only one type or a small number of types of vehicle. For example, the Department believes authorities should be particularly cautious about specifying only purpose-built taxis, with the strict constraint on supply that that implies. But of course the purpose-built vehicles are amongst those which a local authority could be expected to license. Similarly, it may be too restrictive to automatically rule out considering Multi-Purpose Vehicles, or to license them for fewer passengers than their seating capacity (provided of course that the capacity of the vehicle is not more than eight passengers).

29. ***The owners and drivers of vehicles may want to make appropriate adaptations to their vehicles to help improve the personal security of the drivers. Licensing authorities should look favourably on such adaptations.***

Imported vehicles: type approval (see also “stretched limousines”, paras 38-40 below)

30. It may be that from time to time a local authority will be asked to license as a taxi or PHV a vehicle that has been imported independently (that is, by somebody other than the manufacturer). Such a vehicle might meet the local authority's criteria for licensing, but the local authority may nonetheless be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the 'type approval' rules. For passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of either:

- a European Whole Vehicle Type approval;
- a British National Type approval; or
- a Individual Vehicle Approval.

Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. The technical standards applied (and the safety and environmental risks covered) under each of the above are proportionate to the number of vehicles entering service. Further information about these requirements and the procedures for licensing

and registering imported vehicles can be seen at
http://www.dft.gov.uk/stellent/groups/dft_roads/documents/page/dft_roads_506867.hcsp.

Vehicle Testing

31. There is considerable variation between local licensing authorities on vehicle testing, including the related question of age limits. The following can be regarded as best practice:

- Frequency Of Tests. The legal requirement is that all taxis should be subject to an MOT test or its equivalent once a year. For PHVs the requirement is for an annual test after the vehicle is three years old. An annual test for licensed vehicles of whatever age (that is, including vehicles that are less than three years old) seems appropriate in most cases, unless local conditions suggest that more frequent tests are necessary. However, more frequent tests may be appropriate for older vehicles (see 'age limits' below). Local licensing authorities may wish to note that a review carried out by the National Society for Cleaner Air in 2005 found that taxis were more likely than other vehicles to fail an emissions test. This finding, perhaps suggests that emissions testing should be carried out on ad hoc basis and more frequently than the full vehicle test.
- Criteria For Tests. Similarly, for mechanical matters it seems appropriate to apply the same criteria as those for the MOT test to taxis and PHVs*. The MOT test on vehicles first used after 31 March 1987 includes checking of all seat belts. However, taxis and PHVs provide a service to the public, so it is also appropriate to set criteria for the internal condition of the vehicle, though these should not be unreasonably onerous.

*A manual outlining the method of testing and reasons for failure of all MOT tested items can be obtained from the Stationary Office see
<http://www.tsoshop.co.uk/bookstore.asp?FO=1159966&Action=Book&From=SearchResults&ProductID=0115525726>

- Age Limits. It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old.
- Number Of Testing Stations. There is sometimes criticism that local authorities provide only one testing centre for their area (which may be geographically extensive). So it is good practice for local authorities to consider having more than one testing station. There could be an advantage in contracting out the testing work, and to different garages. In that way the licensing authority can benefit from competition in costs. (The Vehicle Operators and Standards Agency – VOSA – may be able to assist where there are local difficulties in provision of testing stations.)

32. ***The Technical Officer Group of the Public Authority Transport Network has produced Best Practice Guidance which focuses on national inspection standards***

for taxis and PHVs. Local licensing authorities might find it helpful to refer to this guidance in carrying out their licensing responsibilities. The PATN can be accessed via the Freight Transport Association.

Personal security

33. The personal security of taxi and PHV drivers and staff needs to be considered. The Crime and Disorder Act 1998 requires local authorities and others to consider crime and disorder reduction while exercising all of their duties. Crime and Disorder Reduction Partnerships are also required to invite public transport providers and operators to participate in the partnerships. Research has shown that anti-social behaviour and crime affects taxi and PHV drivers and control centre staff. It is therefore important that the personal security of these people is considered.

34. The owners and drivers of vehicles will often want to install security measures to protect the driver. Local licensing authorities may not want to insist on such measures, on the grounds that they are best left to the judgement of the owners and drivers themselves. But it is good practice for licensing authorities to look sympathetically on - or actively to encourage - their installation. They could include a screen between driver and passengers, or CCTV. Care however should be taken that security measures within the vehicle do not impede a disabled passenger's ability to communicate with the driver. There is extensive information on the use of CCTV, including as part of measures to reduce crime, on the Home Office website (e.g. www.crimereduction.homeoffice.gov.uk/cctv/cctvminisite25.htm, and <http://scienceandresearch.homeoffice.gov.uk/hosdb/cctv-imaging-technology/CCTV-and-imaging-publications>) and on the Information Commission's Office website (www.ico.gov.uk). CCTV can be both a deterrent to would-be trouble makers and be a source of evidence in the case of disputes between drivers and passengers and other incidents. The local trade might be encouraged to investigate sources of funding with the local Crime and Disorder Reduction Partnership.

35. Other security measures include guidance, talks by the local police and conflict avoidance training. The Department has recently issued guidance for taxi and PHV drivers to help them improve their personal security. These can be accessed on the Department's website at: <http://www.dft.gov.uk/pgr/crime/taxiphv/>. In order to emphasise the reciprocal aspect of the taxi/PHV service, licensing authorities might consider drawing up signs or notices which set out not only what passengers can expect from drivers, but also what drivers can expect from passengers who use their service. Annex B contains two samples which are included for illustrative purposes but local authorities are encouraged to formulate their own, in the light of local conditions and circumstances. Licensing authorities may want to encourage the taxi and PHV trades to build good links with the local police force, including participation in any Crime and Disorder Reduction Partnerships.

Vehicle Identification

36. Members of the public can often confuse PHVs with taxis, failing to realise that PHVs are not available for immediate hire and that a PHV driver cannot be hailed. So it is important to distinguish between the two types of vehicle. Possible approaches might be:

- a licence condition that prohibits PHVs from displaying any identification at all apart from the local authority licence plate or disc. The licence plate is a helpful indicator of licensed status and, as such, it helps identification if licence plates are displayed on the front as well as the rear of vehicles. However, requiring some additional clearer form of identification can be seen as best practice. This is for two reasons: firstly, to ensure a more positive statement that the vehicle cannot be hired immediately through the driver; and secondly because it is quite reasonable, and in the interests of the travelling public, for a PHV operator to be able to state on the vehicle the contact details for hiring;
- a licence condition which requires a sign on the vehicle in a specified form. This will often be a sign of a specified size and shape which identifies the operator (with a telephone number for bookings) and the local licensing authority, and which also has some words such as 'pre-booked only'. This approach seems the best practice; it identifies the vehicle as private hire and helps to avoid confusion with a taxi, but also gives useful information to the public wishing to make a booking. It is good practice for vehicle identification for PHVs to include the contact details of the operator.
- Another approach, possibly in conjunction with the previous option, is a requirement for a roof-mounted, permanently illuminated sign with words such as 'pre-booked only'. But it can be argued that any roof-mounted sign, however unambiguous its words, is liable to create confusion with a taxi. So roof-mounted signs on PHVs are not seen as best practice.

Environmental Considerations

37. Local licensing authorities, in discussion with those responsible for environmental health issues, will wish to consider how far their vehicle licensing policies can and should support any local environmental policies that the local authority may have adopted. ***This will be of particular importance in designated Air Quality Management Areas (AQMAs).*** Local authorities may, for example, wish to consider setting vehicle emissions standards for taxis and PHVs. However, local authorities would need to carefully and thoroughly assess the impact of introducing such a policy; for example, the effect on the supply of taxis and PHVs in the area would be an important consideration in deciding the standards, if any, to be set. ***They should also bear in mind the need to ensure that the benefits of any policies outweigh the costs (in whatever form).***

Stretched Limousines

38. Local licensing authorities are sometimes asked to license stretched limousines as PHVs. It is suggested that local authorities should approach such requests on the basis that these vehicles have a legitimate role to play in the private hire trade, meeting a public demand. ***Indeed, there is considerable advantage to having these vehicles within the licensing regime where possible; if they are refused a licence on the basis of a blanket policy, there is a strong possibility that the operator might be tempted to continue to provide a service outside the licensing system which generates problems in itself.*** The Department takes the view that licence applications involving use of these limousines should not be automatically rejected (for example just because the vehicles may be left-hand drive). The Department ***has now issued*** guidance on the licensing arrangements for stretched limousines. ***This can be accessed on the Department's web-site at <http://www.dft.gov.uk/pgr/regional/taxis/limousines>.***

39. Imported stretched limousines are normally checked for compliance with regulations under the Single Vehicle Approval (SVA) inspection regime ***(soon to become Individual Vehicle Approval)***, before they are registered. ***The SVA test verifies that the converted vehicle is built to certain safety and environmental standards. A licensing authority might wish to confirm that an imported vehicle was indeed tested by VOSA for SVA before being registered and licensed (taxed) by DVLA. This can be done either by checking the V5C (Registration Certificate) of the vehicle, which may refer to SVA under the "Special Note" section; or by writing to VOSA, Ellipse, Padley Road, Swansea, SA1 8AN, including details of the vehicle's make and model, registration number and VIN number.***

40. Stretched limousines which clearly have more than 8 passenger seats should not of course be licensed as PHVs because they are outside the licensing regime for PHVs. However, under some circumstances the SVA regime accepts vehicles with space for more than 8 passengers, particularly where the precise number of passenger seats is hard to determine. In these circumstances, if the vehicle has obtained an SVA certificate, the authority should consider the case on its merits in deciding whether to license the vehicle under the strict condition that the vehicle will not be used to carry more than 8 passengers, bearing in mind that refusal may encourage illegal private hire operation. Authorities should check with local MOT testing stations to find out if the station has the facilities to test such vehicles. If there is difficulty in finding a suitable station, the local enforcement office may be able to advise (contact details on <http://www.vosa.gov.uk/vosa/vosalocations/vosaenforcementoffices.htm>).

QUANTITY RESTRICTIONS OF TAXI LICENCES OUTSIDE LONDON

41. The present legal provision on quantity restrictions for taxis outside London is set out in section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis 'if, but only if, the [local licensing authority] is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.

42. Local licensing authorities will be aware that, in the event of a challenge to a decision to refuse a licence, the local authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.

43. Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice. Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered. The Department further urges that the issue to be addressed first in each reconsideration is whether the restrictions should continue at all. It is suggested that the matter should be approached in terms of the interests of the travelling public - that is to say, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provision?

44. In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. This seems very hard to justify.

45. If a local authority does nonetheless take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey; it will be necessary for the local licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. An interval of three years is commonly regarded as the maximum reasonable period between surveys.

46. As to the conduct of the survey, the Department's letter of 16 June 2004 set out a range of considerations. But key points are:

- **the length of time that would-be customers have to wait at ranks.** However, this alone is an inadequate indicator of demand; also taken into account should be...
- **waiting times for street hailings and for telephone bookings.** But waiting times at ranks or elsewhere do not in themselves satisfactorily resolve the question of unmet demand. It is also desirable to address...
- **latent demand**, for example people who have responded to long waiting times by not even trying to travel by taxi. This can be assessed by surveys of people who do not use taxis, perhaps using stated preference survey techniques.
- **peaked demand.** It is sometimes argued that delays associated only with peaks in demand (such as morning and evening rush hours, or pub closing times) are not 'significant' for the purpose of the Transport Act 1985. The Department does not share that view. Since the peaks in demand are by definition the most popular times for consumers to use taxis, it can be strongly argued that unmet demand at these times should not be ignored. Local authorities might wish to consider when

the peaks occur and who is being disadvantaged through restrictions on provision of taxi services.

- **consultation.** As well as statistical surveys, assessment of quantity restrictions should include consultation with all those concerned, including user groups (which should include groups representing people with disabilities, and people such as students or women), the police, hoteliers, operators of pubs and clubs and visitor attractions, and providers of other transport modes (such as train operators, who want taxis available to take passengers to and from stations);
- **publication.** All the evidence gathered in a survey should be published, together with an explanation of what conclusions have been drawn from it and why. If quantity restrictions are to be continued, their benefits to consumers and the reason for the particular level at which the number is set should be set out.
- **financing of surveys.** It is not good practice for surveys to be paid for by the local taxi trade (except through general revenues from licence fees). To do so can call in question the impartiality and objectivity of the survey process.

47. Quite apart from the requirement of the 1985 Act, the Department's letter of 16 June 2004 asked all local licensing authorities that operate quantity restrictions to review their policy and justify it publicly by 31 March 2005 and at least every three years thereafter. The Department also expects the justification for any policy of quantity restrictions to be included in the five-yearly Local Transport Plan process. A recommended list of questions for local authorities to address when considering quantity controls was attached to the Department's letter. (The questions are listed in Annex A to this Guidance.)

TAXI FARES

48. Local licensing authorities have the power to set taxi fares for journeys within their area, and most do so. (There is no power to set PHV fares.) Fare scales should be designed with a view to practicality. The Department sees it as good practice to review the fare scales at regular intervals, including any graduation of the fare scale by time of day or day of the week. Authorities may wish to consider adopting a simple formula for deciding on fare revisions as this will increase understanding and improve the transparency of the process. The Department also suggests that in reviewing fares authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers sufficient incentive to provide a service when it is needed. There may well be a case for higher fares at times of higher demand.

49. Taxi fares are a maximum, and in principle are open to downward negotiation between passenger and driver. It is not good practice to encourage such negotiations at ranks, or for on-street hailings; there would be risks of confusion and security problems. But local licensing authorities can usefully make it clear that published fares are a maximum, especially in the context of telephone bookings, where the customer benefits from competition. There is more likely to be a choice of taxi operators for telephone

bookings, and there is scope for differentiation of services to the customer's advantage (for example, lower fares off-peak or for pensioners).

50. There is a case for allowing any taxi operators who wish to do so to make it clear – perhaps by advertising on the vehicle – that they charge less than the maximum fare; publicity such as '5% below the metered fare' might be an example.

DRIVERS

Duration Of Licences

51. It is obviously important for safety reasons that drivers should be licensed. But it is not necessarily good practice to require licences to be renewed annually. That can impose an undue burden on drivers and licensing authorities alike. Three years is the legal maximum period and is in general the best approach. One argument against 3-year licences has been that a criminal offence may be committed, and not notified, during the duration of the licence. But this can of course also be the case during the duration of a shorter licence. In relation to this, authorities will wish to note that the Home Office in April 2006 issued revised guidance for police forces on the Notifiable Occupations Scheme.

Paragraphs 58-61 below provide further information about this scheme.

52. However, an annual licence may be preferred by some drivers. That may be because they have plans to move to a different job or a different area, or because they cannot easily pay the fee for a three-year licence, if it is larger than the fee for an annual one. So it can be good practice to offer drivers the choice of an annual licence or a three-year licence.

Acceptance of driving licences from other EU member states

53. Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 as enacted stated that an applicant for a taxi or private hire vehicle (PHV) driver's licence must have held a full ordinary GB driving licence for at least 12 months in order to be granted a taxi or PHV driver's licence. This requirement has subsequently been amended since the 1976 Act was passed. The Driving Licences (Community Driving Licence) Regulations 1996 (SI 1996 No 1974) amended sections 51 and 59 of the 1976 Act to allow full driving licences issued by EEA states to count towards the qualification requirements for the grant of taxi and PHV driver's licences. Since that time, a number of central and eastern European states have joined the EU and the EEA and the Department take the view that drivers from the Accession States are eligible to acquire a taxi or PHV driver's licence under the 1976 Act if they have held an ordinary driving licence for 12 months which was issued by an acceding State (see section 99A(i) of the Road Traffic Act 1988). To complete the picture, the Deregulation (Taxis and Private Hire Vehicles) Order 1998 (SI 1998 No 1946) gave equal recognition to Northern Ireland driving licences for the purposes of taxi and PHV driver licensing under the 1976 Act (see section 109(i) of the Road Traffic Act 1988, as amended).

Criminal Record Checks

54. ***A criminal record check is an important safety measure particularly for those working closely with children and the vulnerable. Taxi and PHV drivers can be subject to either a Standard or an Enhanced Disclosure through the Criminal Records Bureau; both levels of Disclosure include details of spent and unspent convictions, cautions reprimands and final warnings. An Enhanced Disclosure may also include any other information held in police records that is considered relevant by the police. This may include, for example, details of minor offences, non-conviction information on the Police National Computer such as Fixed Penalty Notices and, in some cases, allegations. An Enhanced Disclosure is only available to those working in the most sensitive areas.***

55. In considering an individual's criminal record, local licensing authorities will want to consider each case on its merits, but they will doubtless take a particularly cautious view of any offences involving violence, and especially sexual attack. In order to achieve consistency, and thus avoid the risk of successful legal challenge, local authorities will doubtless want to have a clear policy for the consideration of criminal records, for example the number of years they will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.

56. Local licensing authorities will also want to have a policy on background checks for applicants from elsewhere in the EU and other overseas countries. One approach is to require a certificate of good conduct authenticated by the relevant embassy. The Criminal Records Bureau website (www.crb.gov.uk) gives information about obtaining certificates of good conduct, or similar documents, from a number of countries. More generally, the Home Office's Employers' Helpline (0845 010 6677) can be used by licensing staff to obtain general guidance on immigration documentation, although this Helpline is not able to advise on individual cases. The authority can obtain case specific immigration status information, including whether a licensing applicant is permitted to work or details of work restrictions, from the Evidence and Enquiry Unit, Floor 12, Lunar House, Wellesley Road, Croydon CR9 2BY . Further details on the procedures involved can be obtained by contacting the Unit (020 8196 3011).

57. It would seem best practice for Criminal Records Bureau disclosures to be sought when a licence is first applied for and then every three years, even if a licence is renewed annually, provided drivers are obliged to report all new convictions and cautions to the licensing authority. ***A new scheme for vetting persons working regularly with children or vulnerable adults in certain settings - called "regulated activity" - and barring those considered unsuitable, is being introduced by the Government. Vetting will be carried out by the Independent Safeguarding Authority and will be compulsory for those providing regulated activity. This is likely to affect some taxi and PHV drivers who, for example, regularly fulfil local authority contracts to transport children to school. Full details of the scheme will be provided as implementation proceeds.***

Notifiable Occupations Scheme

58. Under this Scheme, when an individual comes to the notice of the police and identifies their occupation as a taxi or PHV driver, the police are requested to notify the appropriate local licensing authority of convictions and any other relevant information that indicates that a person poses a risk to public safety. Most notifications will be made once an individual is convicted however, if there is a sufficient risk, the police will notify the authority immediately.

59. In the absence of a national licensing body for taxi and PHV drivers, notifications are made to the local licensing authority identified on the licence or following interview. However, it is expected that all licensing authorities work together should they ascertain that an individual is operating under a different authority or with a fraudulent licence.

60. The police may occasionally notify licensing authorities of offences committed abroad by an individual however it may not be possible to provide full information.

61. The Notifiable Occupations Scheme is described in Home Office Circular 6/2006 which is available at <http://www.knowledgenetwork.gov.uk/HO/circular.nsf>. Further information can also be obtained from the Criminal Records Team, Policing Powers and Safeguarding Section, Policing Powers and Protection Unit, Fourth Floor, Peel Building, 2 Marsham Street, London SW1P 4DF; e-mail Michael.Brett-Pitt@homeoffice.gsi.gov.uk).

Immigration checks

62. The Department considers it appropriate for licensing authorities to check on an applicant's right to work before granting a taxi or PHV driver's licence. It is important to note that a Criminal Records Bureau check is not a Right to Work check and any enquires about the immigration status of an individual should be addressed to the Border and Immigration Agency. Further information can be found at www.bia.homeoffice.gov.uk/employingmigrants. More generally, the Border and Immigration Agency's Employers' Helpline (0845 010 6677) can be used by licensing staff to obtain general guidance on immigration documentation, although this Helpline is not able to advise on individual cases. The authority can obtain case specific immigration status information, including whether a licensing applicant is permitted to work or details of work restrictions, from the Evidence and Enquiry Unit, Floor 12, Lunar House, Wellesley Road, Croydon CR9 2BY. Further details on the procedures involved can be obtained by contacting the Unit (020 8196 3011).

Medical fitness

63. It is clearly good practice for medical checks to be made on each driver before the initial grant of a licence and thereafter for each renewal. There is general

recognition that it is appropriate for taxi/PHV drivers to have more stringent medical standards than those applicable to normal car drivers because:

- **they carry members of the general public who have expectations of a safe journey;**
- **they are on the road for longer hours than most car drivers; and**
- **they may have to assist disabled passengers and handle luggage.**

64. Given this recognition of the need for a higher standard of medical checks for taxi drivers than for other car drivers, the Department's view is that it is appropriate to use the Group 2 medical standards, which the DVLA apply to applicants for licences to drive buses and lorries, as a benchmark. The Department's advice is that the exceptional arrangements which apply to the C1 category are not appropriate for taxi/PHV drivers. The latest edition of the DVLA At a Glance Guide sets out the current medical standards for fitness to drive: <http://www.dvla.gov.uk/medical/ataglance.aspx>. [Note consultation questions seek specific comments about this issue.]

65. In implementing this standard, authorities should take into account that assessment of the Group 2 standard is a complex process requiring specialist skills. Against that background, it is important for a local authority with a policy of assessing applicants for Group 2 medical standards to use the services of a medical practitioner who is trained, or experienced, in the application of this standard. This will provide assurance to the authority, and licence applicants, that all assessments are being made on a consistent basis by a practitioner who is familiar with the requirements of Group 2, including any surveillance requirements.

66. Given that it is likely that in most cases local authorities will, for other purposes, have to call on the services of a qualified medical practitioner this advice should not represent a significant new cost to authorities. Furthermore, practitioners used by the authority can be encouraged to widen the scope of their expertise by assigning a small proportion of their annual mandatory training hours to undertake a training course which would enable them to undertake assessments for taxi/PHV driver licence applicants on behalf of the local authority.

Age Limits

67. It does not seem necessary to set a maximum age limit for drivers provided that regular medical checks are made. Nor do minimum age limits, beyond the statutory periods for holding a full driver licence, seem appropriate. Applicants should be assessed on their merits.

Driving Proficiency

68. Many local authorities rely on the standard car driving licence as evidence of driving proficiency. Others require some further driving test to be taken. Local authorities will want to consider carefully whether this produces benefits which are commensurate

with the costs involved for would-be drivers, the costs being in terms of both money and broader obstacles to entry to the trade. However, they will note that the Driving Standards Agency provides a driving assessment specifically designed for taxis.

Language proficiency

69. Authorities may also wish to consider whether an applicant would have any problems in communicating with customers because of language difficulties.

Other training

70. There may well be advantage in encouraging drivers to obtain one of the nationally-recognised vocational qualifications for the taxi and PHV trades. These will cover customer care, including how best to meet the needs of people with disabilities. More information about these qualifications can be obtained from *GoSkills*, the Sector Skills Council for Passenger Transport. *GoSkills* is working on a project funded by the Department to raise standards in the industry and *GoSkills* can guide and support licensing authorities through its regional network of Business Advisers. Some licensing authorities have already established training initiatives and others are being developed; it is seen as important to do this in consultation with the local taxi and PHV trades. Training can cover customer care, including how best to meet the needs of people with disabilities and other sections of the community, and also topics such as the relevant legislation, road safety, the use of maps and GPS, the handling of emergencies, and how to defuse difficult situations and manage conflict. **Training may also be considered for applicants to enable them to reach an appropriate standard of comprehension, literacy and numeracy.** Authorities may wish to note that nationally recognised qualifications and training programmes sometimes have advantages over purely local arrangements (for example, in that the qualification will be more widely recognised).

Contact details are:

GoSkills, Concorde House, Trinity Park, Solihull, Birmingham, B37 7UQ.

Tel: 0121-635-5520

Fax: 0121-635-5521

Website: www.goskills.org

e-mail: info@goskills.org

Topographical Knowledge

71. Taxi drivers need a good working knowledge of the area for which they are licensed, because taxis can be hired immediately, directly with the driver, at ranks or on the street. So most licensing authorities require would-be taxi-drivers to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence (though the stringency of the test should reflect the complexity or otherwise of the local geography, in

accordance with the principle of ensuring that barriers to entry are not unnecessarily high).

72. However, PHVs are not legally available for immediate hiring in the same way as taxis. To hire a PHV the would-be passenger has to go through an operator, so the driver will have an opportunity to check the details of a route before starting a journey. So it may be unnecessarily burdensome to require a would-be PHV driver to pass the same 'knowledge' test as a taxi driver, though it may be thought appropriate to test candidates' ability to read a map and their knowledge of key places such as main roads and railway stations. ***The Department is aware of circumstances where, as a result of the repeal of the PHV contract exemption, some people who drive children on school contracts are being deterred from continuing to do so on account of overly burdensome topographical tests. Local authorities should bear this in mind when assessing applicants' suitability for PHV licences.***

PHV OPERATORS

73. The objective in licensing PHV operators is, again, the safety of the public, who will be using operators' premises and vehicles and drivers arranged through them.

Criminal Record Checks

74. PHV operators (as opposed to PHV drivers) are not exceptions to the Rehabilitation of Offenders Act 1974, so Standard or Enhanced disclosures cannot be required as a condition of grant of an operator's licence. But a Basic Disclosure, ***which will provide details of unspent convictions only***, could be seen as appropriate, after such a system has been introduced by the Criminal Records Bureau. No firm date for introduction has yet been set; ***however, a feasibility study has been completed***; the ***Criminal Records Bureau is*** undertaking ***further work*** in this regard. Overseas applicants may be required to provide a certificate of good conduct from the relevant embassy if they have not been long in this country. Local licensing authorities may want to require a reference, covering for example the applicant's financial record, as well as the checks outlined above.

Record Keeping

75. It is good practice to require operators to keep records of each booking, including the name of the passenger, the destination, the name of the driver, the number of the vehicle and any fare quoted at the time of booking. ***This information will enable the passenger to be traced if this becomes necessary and should improve driver security and facilitate enforcement.*** It is suggested that 6 months is generally appropriate as the length of time that records should be kept.

Insurance

76. It is appropriate for a licensing authority to check that appropriate public liability insurance has been taken out for premises that are open to the public.

Licence Duration

77. A requirement for annual licence renewal does not seem necessary or appropriate for PHV operators, whose involvement with the public is less direct than a driver (who will be alone with passengers). Indeed, a licence period of five years may well be appropriate in the average case. Although the authority may wish to offer operators the option of a licence for a shorter period if requested.

Repeal of the PHV contract exemption

78. Section 53 of the Road Safety Act 2006 repealed the exemption from PHV licensing for vehicles which were used on contracts lasting not less than seven days. The change came into effect in January 2008. As a result of this change, local licensing authorities are considering a range of vehicles and services in the context of PHV licensing which they had not previously licensed because of the contract exemption.

79. The Department produced a guidance note in November 2007 to assist local licensing authorities, and other stakeholders, in deciding which vehicles should be licensed in the PHV regime and which vehicles fell outside the PHV definition. The note stressed that it was a matter for local licensing authorities to make decisions in the first instance and that, ultimately, the courts were responsible for interpreting the law. However, the guidance was published as a way of assisting people who needed to consider these issues. A copy of the guidance note can be found on the Department's web-site at:
<http://www.dft.gov.uk/pgr/regional/taxis/rsa06privatehirevehicles>

ENFORCEMENT

80. Well-directed enforcement activity by the local licensing authority benefits not only the public but also the responsible people in the taxi and PHV trades. The resources devoted by licensing authorities to enforcement will vary according to local circumstances, including for example any difficulties with touting by unlicensed drivers and vehicles (a problem in some urban areas). Local authorities will also wish to liaise closely with the police.

81. Local licensing authorities often use enforcement staff to check a range of licensed activities (such as market traders) as well as the taxi and PHV trades, to make the best use of staff time. But it is desirable to ensure that taxi and PHV enforcement effort is at least partly directed to the late-night period, when problems such as touting tend most often to arise. **In formulating policies to deal with taxi touts, local licensing authorities might wish to be aware that the Sentencing Guidelines Council have, for the first time, included guidance about taxi touting in their latest Guidelines for Magistrates. The Guidelines, which came into effect in August 2008, can be accessed through the SGC's web-site - www.sentencing-guidelines.gov.uk.**

82. Some local licensing authorities employ taxi marshals in busy city centres where there are lots of hirings, again perhaps late at night, to help taxi drivers picking up, and would-be passengers queuing for taxis.

83. As part of enforcement, local licensing authorities will often make spot checks, which can lead to their suspending or revoking licences. They will wish to consider carefully which power should best be used for this purpose. They will note, among other things, that section 60 of the Local Government (Miscellaneous Provisions) Act 1976 provides a right of appeal for the licence-holder, whereas section 68, which is also sometimes used, does not; this can complicate any challenge by the licence-holder.

84. Section 52 of the Road Safety Act 2006 amended the Local Government (Miscellaneous Provisions) Act 1976 such that local authorities can now suspend or revoke a taxi or PHV driver's licence with immediate effect on safety grounds. It should be stressed that this power can only be used where safety is the principal reason for suspending or revoking and where the risk justifies such an approach. It is expected that in the majority of cases drivers will continue to work pending appeal and that this power will be used in one-off cases. But the key point is that the law says that the power must be used in cases which can be justified in terms of safety.

TAXI ZONES

85. The areas of some local licensing authorities are divided into two or more zones for taxi licensing purposes. Drivers may be licensed to ply for hire in one zone only. Zones may exist for historical reasons, perhaps because of local authority boundary changes.

86. The Department recommends the abolition of zones. That is chiefly for the benefit of the travelling public. Zoning tends to diminish the supply of taxis and the scope for customer choice - for example, if fifty taxis were licensed overall by a local authority, but with only twenty five of them entitled to ply for hire in each of two zones. It can be confusing and frustrating for people wishing to hire a taxi to find that a vehicle licensed by the relevant local authority is nonetheless unable to pick them up (unless pre-booked) because they are in the wrong part of the local authority area. Abolition of zones can also reduce costs for the local authority, for example through simpler administration and enforcement. It can also promote fuel efficiency, because taxis can pick up a passenger anywhere in the local authority area, rather than having to return empty to their licensed zone after dropping a passenger in another zone.

87. It should be noted that the Government has now made a Legislative Reform Order which removed the need for the Secretary of State to approve amalgamation resolutions made by local licensing authorities The Legislative Reform (Local Authority Consent Requirements)(England and Wales) Order 2008 came into force in October 2008. Although these resolutions no longer require the approval of the Secretary of State, the statutory procedure for making them – in paragraph 25 of schedule 14 to the Local Government Act 1972- remains the same.

FLEXIBLE TRANSPORT SERVICES

88. It is possible for taxis and PHVs to provide flexible transport services in a number of different ways. Such services can play a valuable role in meeting a range of transport needs, especially in rural areas – though potentially in many other places as well. In recent years there has been a significant increase in the provision of flexible services, due partly to the availability of Rural Bus Subsidy Grant and Rural Bus Challenge Support from the Department.

89. The Department encourages local licensing authorities, as a matter of best practice, to play their part in promoting flexible services, so as to increase the availability of transport to the travelling public. This can be done partly by drawing the possibilities to the attention of taxi and PHV trade. It also should be borne in mind that vehicles with a higher seating capacity than the vehicles typically licensed as taxis (for example those with 6, 7 or 8 passenger seats) may be used for flexible services and should be considered for licensing in this context.

90. The main legal provisions under which flexible services can be operated are:

- **Shared taxis and PHVs – advance bookings (section 11, Transport Act 1985):** licensed taxis and PHVs can provide a service at separate fares for up to eight passengers sharing the vehicle. The operator takes the initiative to match up passengers who book in advance and agree to share the vehicle at separate fares (lower than for a single hiring). An example could be passengers being picked up at home to go to a shopping centre, or returning from the shops to their homes. The operator benefits through increased passenger loadings and total revenues.
- **Shared taxis – immediate hirings (section 10, Transport Act 1985):** such a scheme is at the initiative of the local licensing authority, which can set up schemes whereby licensed taxis (not PHVs) can be hired at separate fares by up to eight people from ranks or other places that have been designated by the authority. (The authority is required to set up such a scheme if holders of 10% or more of the taxi licences in the area ask for one.) The passengers pay only part of the metered fare, for example in going home after a trip to the local town, and without pre-booking, but the driver receives more than the metered fare.
- **Taxibuses (section 12, Transport Act 1985):** owners of licensed taxis can apply to the Traffic Commissioner for a 'restricted public service vehicle (PSV) operator licence'. The taxi owner can then use the vehicle to run a bus service for up to eight passengers. The route must be registered with the Traffic Commissioner and must have at least one stopping place in the area of the local authority that licensed the taxi, though it can go beyond it. The bus service will be eligible for Bus Service Operators Grant (subject to certain conditions) and taxibuses can be used for local authority subsidised bus services. The travelling public have another transport opportunity opened for them, and taxi owners have another business opportunity. ***The Local Transport Act 2008 contains a provision which will allow the owners of PHVs to acquire a special PSV operator licence and register a route with the traffic commissioner. It is expected that this provision will be commenced in the Spring of 2009. Separate guidance will be provided.***

91. The Department is very keen to encourage the use of these types of services. More details can be found in the Department's publication 'Flexible Transport Services' which can be accessed at:
www.dft.gov.uk/stellent/groups/dft_localtrans/documents/page/dft_localtrans_504004.hcsp.

LOCAL TRANSPORT PLANS

92. The Transport Act 2000 requires most local transport authorities in England (not London) to produce and maintain a Local Transport Plan (LTP), having regard to any guidance issued by the Secretary of State. The latest guidance published in December 2004 **asked** for a provisional LTP by 29 July 2005 and a final one by 31 March 2006. LTPs set out the authority's local transport strategies and policies, and an implementation programme over a five year period. **82 LTPs covering all of England outside London have been produced and cover the period up to 2011.**

93. All modes of transport including taxi and PHV services have a valuable part to play in overall transport provision, and so local licensing authorities have an input to **delivering the LTPs**. The key policy themes for such services could be availability and accessibility. **LTPs can cover:**

- quantity controls, if any, and plans for their review;
- licensing conditions, with a view to safety but also to good supply of taxi and PHV services;
- fares;
- on-street availability, especially through provision of taxi ranks;
- vehicle accessibility for people with disabilities;
- encouragement of flexible services.

TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE**Useful questions when assessing quantity controls of taxi licences**

- Have you considered the Government's view that quantity controls should be removed unless a specific case that such controls benefit the consumer can be made?

Questions relating to the policy of controlling numbers

- Have you recently reviewed the need for your policy of quantity controls?
- What form did the review of your policy of quantity controls take?
- Who was involved in the review?
- What decision was reached about retaining or removing quantity controls?
- Are you satisfied that your policy justifies restricting entry to the trade?
- Are you satisfied that quantity controls do not:
 - reduce the availability of taxis;
 - increase waiting times for consumers;
 - reduce choice and safety for consumers?
- What special circumstances justify retention of quantity controls?
- How does your policy benefit consumers, particularly in remote rural areas?
- How does your policy benefit the trade?
- If you have a local accessibility policy, how does this fit with restricting taxi licences?

Questions relating to setting the number of taxi licences

- When last did you assess unmet demand?
- How is your taxi limit assessed?
- Have you considered latent demand, ie potential consumers who would use taxis if more were available, but currently do not?
- Are you satisfied that your limit is set at the correct level?
- How does the need for adequate taxi ranks affect your policy of quantity controls?

Questions relating to consultation and other public transport service provision

- When consulting, have you included etc
 - all those working in the market;
 - consumer and passenger (including disabled) groups;
 - groups which represent those passengers with special needs;
 - local interest groups, eg hospitals or visitor attractions;
 - the police;
 - a wide range of transport stakeholders eg rail/bus/coach providers and traffic managers?
- Do you receive representations about taxi availability?
- What is the level of service currently available to consumers (including other public transport modes)?

TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE

Notice for taxi passengers - what you can expect from the taxi trade and what the taxi trade can expect from you

The driver will:

- ***Drive with due care and courtesy towards the passenger and other road users.***
- ***Use the meter within the licensed area, unless the passenger has agreed to hire by time.***
- ***If using the meter, not start the meter until the passenger is seated in the vehicle.***
- ***If travelling outside the licensed area, agree the fare in advance. If no fare has been negotiated in advance for a journey going beyond the licensing area then the driver must adhere to the meter.***
- ***Take the most time-efficient route, bearing in mind likely traffic problems and known diversions, and explain any diversion from the most direct route.***

The passenger will:

- ***Treat the vehicle and driver with respect and obey any notices (e.g. in relation to eating in the vehicle).***
- ***Ensure they have enough money to pay the fare before travelling. If wishing to pay by credit card or to stop on route to use a cash machine, check with the driver before setting off.***
- ***Be aware of the fare on the meter and make the driver aware if it is approaching the limit of their financial resources.***
- ***Be aware that the driver is likely to be restricted by traffic regulations in relation to where s/he can stop the vehicle.***

Notice for PHV passengers - what you can expect from the PHV trade and what the PHV trade can expect from you

The driver will:

- ***Ensure that the passenger has pre-booked and agrees the fare before setting off.***
- ***Drive with due care and courtesy towards the passenger and other road users.***
- ***Take the most time-efficient route, bearing in mind likely traffic problems and known diversions, and explain any diversion from the most direct route.***

The passenger will:

- ***Treat the vehicle and driver with respect and obey any notices (eg. in relation to eating in the vehicle).***
- ***Ensure they have enough money to pay the fare before travelling. If wishing to pay by credit card or to stop on route to use a cash machine, check with the driver before setting off.***
- ***Be aware that the driver is likely to be restricted by traffic regulations in relation to where s/he can stop the vehicle.***

Annex B**TAXI AND PRIVATE HIRE VEHICLE LICENSING - CONSULTATION ON REVISED BEST PRACTICE GUIDANCE****Issues on which we are seeking feedback**Usefulness of original Guidance

We are interested to know how useful stakeholders have found the original guidance, for example, the extent to which it prompted licensing authorities to review their policies or whether the trade found it to be a useful tool in approaching their local authority with suggestions of changes.

Q1. Have you found the Best Practice Guidance useful?

Q2. Has your local authority, since publication of the Guidance in October 2006, undertaken a review of its taxi and PHV licensing policies?

Q3. Can you offer any examples of instances where local policies have been amended to reflect the advice in the original Best Practice Guidance?

Q4. Do you consider that any issues in the original guidance where changes are not proposed should be revised?

Q5. Do you consider that there are issues which are not currently covered in the Guidance which could usefully be covered?

Proposed revisions to the Guidance

In many cases, the proposed revisions have been included to reflect developments since the original guidance was published (eg the fact that we have now published guidance about stretched limousines and the fact that the Legislative Reform Order concerning the amalgamation of taxi licensing zones has now been made). In other cases, we are proposing a substantive change to the guidance which the Department is providing (for example on medical fitness). We would welcome feedback on any of the revisions which we have proposed in the draft guidance.

Q6. Do you have any comments on the proposed guidance about accessibility (paras13-19)? *[Note, there is a separate consultation exercise about accessibility standards for taxis; this consultation asks about the advice we are currently offering to local authorities.]*

Q7. Do you have any comments on the proposed guidance about the duty to carry assistance dogs (paras 20-21)?

Q8. Do you have any comments on the proposed guidance about duties under the Part 3 of the Disability Discrimination Act 1995 (paras 22-25)?

Q9. Do you have any comments on the inclusion of a reference to the national inspection standards drawn up by the Public Authority Transport Network (para 32)?

Q10. Do you have any comments on the proposed guidance about drivers' personal security (paras 29; and 33-35)?

Q11. Do you have any comments on the proposed guidance about stretched limousines (paras 38-40)?

Q12. Do you have any comments on the proposed guidance about criminal record checks on drivers (paras 54-57)?

Q13. Do you have any comments on the proposed guidance about the Notifiable Occupations Scheme (paras 58-61)?

Q14. Do you have any comments on the proposed guidance about Immigration checks (para 62)?

Q15. The Government is minded to remove reference to the exceptional C1 arrangements in the original guidance. However, in making a final decision, we would welcome feedback from stakeholders about the possible change. Do you have any evidence about the extent to which taxi/PHV drivers are currently licensed on the basis of the C1 arrangements (paras 63-64)?

Q16. Do you think that it is appropriate for the proposed guidance to make no reference to the use of the C1 arrangements for insulin-treated drivers; please explain your reasons (paras 63-64)?

Q17. Do you have any comments on the proposed guidance about medical fitness (other than comments in relation to the C1 arrangements) including the proposed references to use of medical practitioners who are trained in the application of Group 2 medical standards? Would this add to costs? If so, would this be justified? (paras 63-66)?

Q18. Do you have any comments on the proposed guidance about language proficiency (para 69)?

Q19. Do you have any comments on the proposed guidance about other training (para 70)?

Q20. Do you have any comments on the proposed guidance about topographical knowledge (paras 71-72)?

Q21. Do you have any comments on the proposed guidance about criminal record checks on PHV operators (para 74)?

Q22. Do you have any comments on the proposed guidance about the repeal of the PHV contract exemption (paras 78-79)?

Q23. Do you have any comments on the proposed guidance about enforcement (paras 80-84)?

Q24. Do you have any comments on the proposed guidance about taxibuses (para 90)?

ANNEX D

List of consultees

All local authorities in England and Wales
Allied Vehicles
Association of Local Authority Medical Advisers
Association of Transport Co-ordinating Officers
Bolton, Bury, Preston Hackney Association
Campaign for Better Transport
Community Transport Association
Confederation of Passenger Transport
Consumers Association
Corporation of Professional Drivers and Chauffeurs
Diabetes UK
Disabled Persons Transport Advisory Committee
Federation of Small Businesses
GMB
Go Skills
Guide Dogs for the Blind
Institute of Licensing
Institute of Professional Drivers and Chauffeurs
James Button
JCMBPS
Licensed Private Hire Car Association
Licensed Taxi Drivers Association
London Taxis International
Mercedes
National Association of Licensing and Enforcement Officers
National Consumer Council
National Council of Women
National Private Hire Association
National Taxi Association
North East Combined Transport Activists
RADAR
Society of Motor Manufacturers and Traders
South Pennines Integrated Transport Strategy
Suzy Lamplugh Trust
The Local Government Association
Transport for London
Travelwatch NW
TUC
Unite
Welsh Local Government Association
Wheelchair Accessible Vehicles Converters Association

ANNEX E

Code of Practice on Consultation

The Government has adopted a Code of Practice on consultations. The Code sets out the approach Government will take to running a formal, written public consultation exercise. While most UK Departments and Agencies have adopted the Code, it does not have legal force, and cannot prevail over statutory or other mandatory external requirements (e.g. under European Community Law).

The Code contains seven criteria. They should be reproduced in all consultation documents. Deviation from the code will at times be unavoidable, but the Government aims to explain the reasons for deviations and what measures will be used to make the exercise as effective as possible in the circumstances.

The Seven Consultation Criteria

1. **When to consult:** Formal consultation should take place at a stage when there is scope to influence the policy outcome.
2. **Duration of consultation exercises:** Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. **Clarity of scope and impact:** Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. **Accessibility of consultation exercises:** Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. **The burden of consultation:** Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. **Responsiveness of consultation exercises:** Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. **Capacity to consult:** Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

A full version of the code of practice is available on the Better Regulation Executive website at: <http://www.berr.gov.uk/files/file47158.pdf>

If you consider that this consultation does not comply with the criteria or have comments about the **consultation process** please contact:

Lec Napal
Consultation Co-ordinator
Department for Transport
Zone 1/33 Great Minster House

76 Marsham Street
London, SW1P 4DR
email: consultation@dft.gsi.gov.uk



Report of	Meeting	Date
Corporate Director Neighbourhoods	Licensing and Public Safety Committee	10 June 2009

LICENSING AND REGISTRATION – SUMMARY OF ACTIVITY FROM 10 JANUARY 2009 – 18 MAY 2009

PURPOSE OF REPORT

1. To inform the Committee of the various licences and permits issued, registrations effected and enforcement activity for the above period.

RECOMMENDATION(S)

2. Members are asked to note the report.

EXECUTIVE SUMMARY OF REPORT

3. This report is for information only.

CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

BACKGROUND

5. This report is for information only.



LICENSING ACT 2003

6. The table below shows the number of licences/registrations issued during this period under the Licensing Act 2003.

Number of	New	Variations	Change of Name/Address	Transfer of Premises Licence	Change of DPS
Personal Licences	32	0	12	0	0
Premises Licences with alcohol	3	4	4	12	19
Premises Licences without alcohol	0	0	0	1	0
Club with alcohol	0	0	0	0	0
Club without alcohol	0	0	0	0	0
Temporary Event Notice with alcohol	32	0	0	0	0
Temporary Event Notice without alcohol	1	0	0	0	0
Interim Authority Notice	1	0	0	0	0

REVIEW OF PREMISES LICENCES

7. There has been one review application of a premises licence for The Shanghai Restaurant.

HEARINGS

8. No hearings have taken place during this period.

COMMITTEES

The General Licensing Sub Committee considered 4 applications for Private Hire/Hackney Carriage Driver licences during this period.

This Committee also considered the renewal application for M & M Sensations, Bolton Street, Chorley (Sex Shop).

GAMBLING ACT 2005

9. The table below shows the number of licences/permits issued during this period under the Gambling Act 1995.

Number of	New	Variations	Change of name/address
Betting Premises Licence (other)	0	0	0
Bingo Premises Licence	0	0	0
Adult Gaming Centre	0	0	0
Family Entertainment Centre	0	0	0

Premises Licence			
PERMITS	1	0	0
Notification of Intent to have 2 Gaming Machines	16	0	0
Small Society Lottery Registration	5	0	7

HACKNEY CARRIAGES, PRIVATE HIRE REGISTRATIONS

10. The table below shows the number of licences/registrations issued during this period. Generally, renewal of Private Hire/Hackney Carriage Vehicle/Drivers Licences and renewal of Private Hire Operator Licences are now done by the One Stop Shop.

Number of	New	Renewals	Transfers	Vehicle Change
Private Hire Vehicles	14	88	1	2
Private Hire Drivers Licence	12	64	0	0
Private Hire Operator	2	6	0	0
Hackney Carriage Drivers Licence	7	35	0	0
Hackney Carriage Vehicle	0	23	1	3

SECOND HAND GOODS

11. There have been no applications granted for second hand goods licences during this period.

HOUSE TO HOUSE COLLECTIONS

12. There have been 2 applications made for a House to House Permit during this period for the following charities.

Name of Charity	Date of Collection
Canine Pals	01/06/09 – 31/07/09 10/11/09 – 31/12/09

STREET COLELCTION PERMITS

13. There have been 12 applications granted for a Street Collection Permit during this period for the following charities.

Name of Charity	Date of Street Collection
Galloway's Society for the Blind	08/08/09
Chorley Lions Club	12/12/09
Little Stars Luxor Children's Trust	21/05/09
National Anti Vivisection Society	18/04/09
Multi Sclerosis Society (Chorley)	27/06/09
Breast Cancer Campaign	15/03/09
Derian House Children's Hospice	10/04/09 & 26/04/09
Amnesty International UK	05/09/09
Barnardo's	14/11/09
Cancer Research UK	16/05/09
The Legacy Rainbow House (Eccleston)	16/05/09

MOTOR SALVAGE OPERATOR

14. There have been no applications for Motor Salvage Operator Licences during this period.

ENFORCEMENT/INSPECTION VISITS FOR PERIOD FROM 10 JANUARY 2009 – 18 MAY 2009

15. There have been 17 enforcement visits for private hire and hackney carriage vehicles.

There have been 12 enforcement visits to Licensed Premises under the Licensing Act 2003

1 Section 19 notice served under the Police and Criminal Justice Act 2001.

SUSPENSION OF VEHICLES

16. 19 suspension notices have been issued to taxis on the grounds of public safety.

JOINT OPERATIONS

17. There have been two joint operations during this period.

One with Lancashire Constabulary and one with VOSA, Lancashire Constabulary and the Benefits Agency.

COMPLAINTS

18. There have been 4 complaints received during this period. Details as follows:

1. Complaint from female member of public that a Hackney carriage driver had extended a journey to get more money from her.
Driver given a warning.
2. Complaint regarding noise from Top Lock Pub, Wheelton – Ongoing court case and premises put on RAG Bulletin for visits by police.
3. Complaint re noise from The Oak Tree, Preston Road, Coppull.
2 visits by Licensing and Police.
4. Complaint re noise from Brown Cow, Ecclestone.
Visit scheduled for 26/05/2009 by Environmental Health and Licensing.

IMPLICATIONS OF REPORT

19. There are no implications arising from this report:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	

COMMENTS OF THE CORPORATE DIRECTOR NEIGHBOURHOODS.

20. Not applicable.

ISHBEL MURRAY
CORPORATE DIRECTOR NEIGHBOURHOODS

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Jayne Day	5708	19 May 2009	

This page is intentionally left blank