

**LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE****18 JULY 2018**

<b>REPORT TITLE</b>	<b>PRIVATE HIRE VEHICLE LICENCE CONDITIONS</b>
<b>REPORT OF</b>	<b>CORPORATE DIRECTOR FOR BUSINESS MANAGEMENT</b>

**REPORT SUMMARY**

The purpose of this report is to seek Members approval in respect of revised Private Hire Driver and Private Hire Vehicle Licence Criteria and Conditions in respect of drivers and vehicles undertaking work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Corporate Director for Strategy and Partnerships to transport children to and from educational establishments.

**RECOMMENDATION/S**

That Members approve revised Licence Conditions for Private Hire Driver and Private Hire Vehicles which are used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Corporate Director for Strategy and Partnerships to transport children to and from educational establishments.

That officers be delegated to make any subsequent minor amendments to the standard Private Hire licence conditions.

That Members approve revised Criteria as set out in paragraphs 3.3 and 3.4 of this report, for applicants and vehicles seeking to be licensed as Private Hire Drivers and Vehicles respectively, to undertake work exclusively under a contract to transport children to and from educational establishments.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is a requirement of this Committee to approve the Licence Conditions and Criteria for Private Hire Vehicles and Private Hire Drivers.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 No other options have been considered.

### **3.0 BACKGROUND INFORMATION**

- 3.1 In January 2008 Members of this Committee approved separate Private Hire Drivers and Private Hire Vehicle Licence Conditions and Criteria in respect of drivers and vehicles undertaking work exclusively under and in strict accordance with the terms and conditions of a contract issued by the then Director of Children and Young Peoples Department to transport children to and from educational establishments. These conditions and criteria were developed with the then Children and Young Persons Department in acknowledgement of the fact that a change in legislation would have a significant impact on this service in that it was now a requirement for all vehicles and drivers to be licensed as Private Hire Vehicles and Drivers. These conditions and criteria have not been subject to review since that date. The current Private Hire Driver Licence conditions are attached at Appendix 1 and the current Private Hire Vehicle Licence conditions are attached at Appendix 2.
- 3.2 Officers from the Licensing Department and the Strategy and Partnerships Department have reviewed these conditions and it has been identified that there is no longer a requirement to have such different conditions for drivers and vehicles undertaking work exclusively under a contract to transport children to and from educational establishments. The revised conditions are therefore in line with the current standard Private Hire Driver and Vehicle Licence conditions.
- 3.3 It has been recognised and acknowledged that at this time however there does remain justification for retaining a difference in the requirements necessary to become a Private Hire Driver undertaking work exclusively under the terms and conditions of a contract issued by the Corporate Director for Strategy and Partnerships. It is proposed that an applicant seeking to undertake this work is exempt from the Knowledge Test on the grounds that such drivers will usually undertake the same route on a daily basis and that the most appropriate qualification is the MIDAS qualification in place of a Voluntary Related qualification in Transporting Passengers by Taxi and Private Hire as this qualification deals specifically with the type of work undertaken by these drivers. It is proposed, however that this qualification must be obtained before a licence is granted, replacing the current requirement to obtain the qualification within 6 months of being licensed. All other requirements to become a Private Hire Driver remain the same, namely, a satisfactory Disclosure and Barring Service (DBS) criminal record check, a satisfactory medical and a satisfactory driving record established through a check with the DVLA.

- 3.4 Currently Private Hire Vehicles undertaking this work are not subject to the Compliance Test and can produce an MOT Certificate of a Test carried out within the previous 6 months. It is proposed that this criteria is changed to require an MOT Certificate and a Compliance Test Certificate for tests undertaken within 28 days prior to a licence being issued, in line with the current requirements for Private Hire Vehicles. It is further proposed that in line with other Private Hire Vehicles once a vehicle reaches 6 years of age it will be required to be tested every six months and a six month licence be issued. It is not currently proposed to impose the 10 years age limit that currently applies to other Private Hire Vehicles. This is in acknowledgement of the limited work undertaken by these vehicles, however this will be kept under review. The Compliance Testing document is attached at Appendix 3.
- 3.5 Draft Private Hire Driver and Vehicle Licence Conditions in respect of drivers and vehicles undertaking work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Corporate Director for Strategy and Partnerships to transport children to and from educational establishments are attached at Appendix 4 and Appendix 5 respectively. A summary of the criteria for both drivers and vehicles is attached at Appendix 6.
- 3.6 Should Members approve revised Private Hire Driver and Private Hire Vehicle Licence Conditions in respect of drivers and vehicles undertaking work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Corporate Director for Strategy and Partnerships to transport children to and from educational establishments they are asked to delegate to officers the authority to make any subsequent minor amendments in the standard Private Hire licence conditions.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no specific implications arising from this report.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 A decision of this Committee may be subject to legal challenge.

#### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

- 6.1 There are no specific implications arising from this report.

#### **7.0 RISKS**

- 7.1 There are no specific implications arising from this report.

#### **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 Consultation has taken place at a meeting with officers from the Strategy and Partnerships Department.

#### **9.0 EQUALITY IMPLICATIONS**

- 9.1 There are no specific implications arising from this report.

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**APPENDICES**

- Appendix 1 - Current Private Hire Driver Licence Conditions
- Appendix 2 - Current Private Hire Vehicle Licence Conditions
- Appendix 3 - Compliance Testing document
- Appendix 4 - Revised Private Hire Driver Licence Conditions
- Appendix 5 - Revised Private Hire Vehicle Licence Conditions
- Appendix 6 - Criteria for licensing Private Hire Drivers and Private Hire Vehicles

**REFERENCE MATERIAL**

None

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>