

Contact Officer: Andrew Naisbitt
Tel: 0151 934 4014
Email: andrew.naisbitt@sefton.gov.uk

Background Papers:

- Town Police Clauses Act 1847
- Local Government (Miscellaneous Provisions) Act 1976

1. Background

1.1 The Taxi Licensing Service comprises two distinct service elements:

- a) The licensing function, administered by Arvato through the Council's two One Stop Shops; and
- b) The 'Enforcement' function provided by the Trading Standards and Licensing Section.

1.2 Policy is determined and reviewed by the Council's Licensing & Regulatory Committee and client feedback provided by an established trade consultation regime.

1.3 The primary role of taxi licensing is to ensure the safety of the travelling public by ensuring both the drivers, operators and vehicles meet standards of safety and good conduct.

2. Licence Applications

2.1 For the period 1st April 2013 to 31st March 2014, a total of 5,592 licence applications were received by the Council. As the table in paragraph 2.2 below illustrates this continues the downward trend in the number of licence applications since a peak of 7552 applications in 2010/11.

2.2 Licence applications year on year:

Month of	Number of Licence Applications	Number of Licence Applications	Number of Licence Applications	Change 2014/15 against 2013/14	Percentage change
	2012/13	2013/14	2014/15		
Apr	568	357	262	-95	-26.61%
May	645	369	297	-72	-19.51%
Jun	504	362	345	-17	-4.69%
Jul	640	387	377	-10	-2.58%
Aug	587	364	344	-20	-5.49%
Sep	597	430	416	-14	-3.26%

Oct	684	549	474	-75	-13.67%
Nov	706	550	551	1	0.18%
Dec	284	454	467	13	2.86%
Jan	644	550	497	-53	-9.64%
Feb	585	597	529	-68	-11.39%
Mar	666	623	618	-5	-0.80%
Total	7110	5592	5177	-415	-7.42%

2.3 There is no empirical evidence to account for the declining licence numbers but anecdotal evidence suggests that drivers have to work very long hours to make ends meet and that the decline is due to oversupply in the driver market that has built up over the last few years, coupled with an upsurge in the local economy and alternative employment.

2.4 The decreasing licence numbers will have a knock on effect on taxi licence revenue and ultimately the value of the ring fenced Trade Account, however the level of the reserve (approximately £900,000, (*subject to ongoing review*)) means there is no need for immediate concern.

3. Licence Appeals

3.1 In order for the Council to grant a licence, drivers have to demonstrate they are a 'fit and proper person' to hold a hackney carriage or private hire driver licence. This is determined by the Council carrying out criminal record checks in general and also their driving history.

3.2 If the applicant receives an adverse report and falls outside Council Policy, then the application is refused. If this happens the applicant has a right of appeal to Magistrates Court.

3.3 The first step in the appeal process is for the Council to review the original decision made during the application process at the One Stop Shop. This appeal is considered by an independent panel of three officers who review the application data and hear representations from the applicant. This process is referred to as 'Mitigation'. In 2014/15, the appeals panel heard 85 mitigations, and allowed 23 applications. The remainder were refused. Seven applicants then appealed to the Magistrates Court, three of which successfully won their appeals and were granted a licence.

3.4 The Mitigation panel is also convened to consider reports of misconduct by existing licence holders. In 2014/15 the Mitigation Panel considered 32 cases, in which 12 licenses were revoked and 8 licenses suspended. A further 10 licenses were allowed to remain in force.

3.5 Typical reasons for withholding or revoking a licence include the possession of drugs, supplying drugs, theft, violence and driving offences.

4. Hackney Carriage & Private Hire Vehicle Checks

- 4.1 Vehicle checks are an integral part of the Council's enforcement regime. The checks are carried out to ensure vehicles are safe. At the time of every vehicle licence application or renewal, a satisfactory test certificate from a Council approved testing centre has to accompany the application. Once a licence is granted vehicles are subject to ongoing checks throughout the duration of the licence period.
- 4.2 During the period 1st April 2014 to 31st March 2015, a total of 476 vehicle checks were carried out, 283 were part of proactive checks carried out at locations throughout the Borough and a further 193 'on street' checks carried out on routine patrols; 17% of the checks were carried out on hackney carriage vehicles and 83% on private hire vehicles
- 4.3 The outcomes of the checks can be summarised as follows:
- a) Hackney Carriage On Street Inspections / Pre-Planned Inspections
 - 83 vehicles inspected
 - 70% Fault Free – 17 vehicle defect notices issued, 4 stop notices issued.
 - b) Private Hire On Street Inspections / Pre-Planned Inspections
 - 393 vehicles inspected
 - 55% Fault Free – 143 vehicle defect notices issued, 35 stop notices issued.

5. Prosecutions

- 5.1 During the year the Council carries out targeted enforcement exercises to deter rogue drivers from illegally plying for hire, offenders are typically 'non-Sefton' hackney carriage vehicles plying for hire within Sefton or private hire vehicles taking a fare without a pre-booking. The high profile work in this area has seen a decrease in this type of unlawful activity. In 2014/15 there were 4 prosecutions compared with 7 prosecutions the previous year, despite the number of enforcement exercises being consistent (typically 15/18 exercises per annum). Details in paragraph 5.2

5.2

Defendant	Fine (£)	Costs (£)	Points	Trade	Offences
SA Goodwin	170	300	0	L'pool Hackney	TPCA
P McDonough	200	280	6	L'pool Hackney	TPCA & RTA
JS Mangan	400	250	6	L'pool Hackney	TPCA & RTA
DA Barry	165	100	0	L'pool Hackney	TPCA

Key: TPCA – Town Police Clauses Act
RTA – Road Traffic Act

6. The Knowledge Test

6.1 An integral part of the licence application process is the geographic knowledge test. The test is designed to test a driver's knowledge of the local area and is administered by Arvato in the Council's One Stop Shops. The tables below illustrate knowledge test provision in the two One Stop Shops.

6.2 Knowledge Tests at the Bootle One Stop Shop

Thursdays	Total Spaces	Booked Test	"Did Not Attend"	Actual Attendance	Attended and failed	Attended and passed	Bootle % pass rate attendees	Bootle % pass rate against bookings
TOTALS	1736	1453	411	1334 (*)	1046	288	22%	20%
		(84%)	(28%)	(72%)	(78%)	(22%)	% -v- Attend	% -v- Booked

(*) Actual attendance figure 1042 – vacant places taken by 331 candidates on waiting list.

6.3 Knowledge Tests at the Southport One Stop Shop

Tuesdays	Total Spaces	Booked Test	"Did Not Attend"	Actual Attendance	Attended and failed	Attended and passed	Southport % pass rate attendees	Southport % pass rate against bookings
TOTALS	1067	662	89	533	315	218	41%	35%
		(58%)	(14%)	(86%)	(59%)	(41%)	% -v- Attend	% -v- Booked

6.4 The figures continue to highlight a low level success rate in the Bootle OSS shop however there has been a marked improvement in the pass rate at the Southport OSS compared with a 31% figure for 2013/14.

7. Process handling in the One Stop Shops

7.1 Taxi licensing clients utilise the Council's facilities in one of two ways; either by appointment or by simply dropping in and waiting to be seen. The tables below illustrate service provision in the two One Stop Shops.

7.2 Customer Contact at Bootle One Stop Shop

Appts Offered	Appts Booked	Appts Unused	Appts Kept	Appts Not Kept	Drop Ins Seen	Drop Ins Not Seen	Total Drop Ins
498	456 (92%)	42 (8%)	309 (68%)	147 (32%)	9295	12 (0.1%)	9307

7.3 Customer Contact at Southport One Stop Shop

Appts Offered	Appts Booked	Appts Unused	Appts Kept	Appts Not Kept	Drop Ins Seen	Drop Ins Not seen	Total Drop Ins
502	205 (41%)	297 (59%)	159 (78%)	46 (22%)	1409	0 (0%)	1409

7.4 The statistics show that the greatest demand is at the Bootle One Stop Shop and it is disappointing to note the amount of staff time wasted by clients failing to turn up. This is a perennial problem, but without a cost effective and lawful solution it is difficult to address.

8. Summary & the Year Ahead

8.1 The proactive approach adopted by the Taxi Licensing Unit is the key factor in ensuring the quality of hackney carriage and private hire vehicles and hence the safety of the travelling public.

8.2 The service will continue its 'plying for hire' exercises and will target vehicle defects by a combination of checks at Compliance Testing Stations and on district vehicle checks.

8.3 A new Taxi Licensing Handbook has been published following its approval by the Committee on 30th March 2015. The licensing service will also continue its program of ongoing review and improvement throughout 2015/16. This program of work will include a new system for conducting the geographic knowledge tests and a review of the Testing Stations.

8.4 The Council is currently carrying out a review of the Ring Fenced Taxi Licensing Trade Account and will reassess the licence fees in 2015/16 once the cost analysis has been completed. The implications of licence trend data highlighted in paragraph 2.2 will be assessed at that time. The findings of this review will be published during the summer 2015.

8.4 Further reports will be presented to the Licensing & Regulatory Committee detailing the service enhancements as they take place.