

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 5

meeting date: 21 JANUARY 2014  
 title: PRIVATE HIRE DRIVER'S TEMPORARY LICENCES  
 submitted by: CHIEF EXECUTIVE  
 principal author: MAIR HILL

### 1 PURPOSE

1.1 To report to committee the results of the consultation on the temporary Private Hire licences, to ask Committee to consider the removal of the provision for temporary private hire licences with effect from 1 April 2014, to approve the proposal for a knowledge test to be completed verbally with a relevant fee and to consider the removal of the limit of the number of attempts in which an applicant must pass the knowledge test.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives - }
- Corporate Priorities - }      Consideration of these issues will promote the Council's aim to be a well-managed Council.
- Other Considerations - }

### 2 BACKGROUND

2.1 The background to this issue was set out in detail in the report of the Chief Executive dated 17 September 2013. The Council consulted on the proposal by writing to all Private Operators (because the removal of the provision for a temporary licence would affect prospective applicants for a private hire driver's licence and not those who currently hold such a licence), Hackney Drivers and vehicle licence holders. A copy of the letter sent by the Council is enclosed at **Appendix 1**.

2.2 The Council received 2 responses to the consultation within time, and one outside of the timescale set. These responses have been set out in a table and are enclosed at **Appendix 2**. It is clear from the information set out in the table that 100% of those who responded support the proposal. The comments of those who responded are set out in the table.

2.3 The Council has also compiled information on the numbers of temporary licences which were issued between 1 October 2013 and 31 October 2013 and the numbers of those licences holders who failed to complete the steering to success course, failed to pass the knowledge test and or who simply did not apply for a full licence at the end of the 6 month temporary licence period. This information is set out in **Appendix 3**. Based on this information it appears that during this specific period:

- 65% of temporary licence holders did not obtain a full licence at the end of the 6 month temporary licence period;

- we only have definitive evidence that 34% of those issued with a temporary licence completed the steering to success course within the 6 month period (although it can be seen from Appendix 3 that many more were on a list provided by the College but that we have no evidence that they completed the course and no certificate has been received); and
- 53% of temporary licence holders did not pass the knowledge test within the 6 month period.

2.4 The above statistics support what had previously been anecdotal evidence that many drivers are simply applying to Ribble Valley Borough Council for a temporary licence and not fulfilling the requirement to complete the steering to success course and/or pass the knowledge test within the 6 months. The Council is therefore limited in its capacity to control the standard of drivers.

### 3 ISSUES

3.1 Committee is therefore asked to consider whether the Council should in the light of the information set out above and the responses received to its consultation continue to issue temporary licences.

3.2 Should Committee consider that the Council should no longer issue temporary licences then a number of issues will arise:

#### Existing Drivers

- On 1 April 2014, there will be a number of drivers who have current temporary licences for which they have paid a fee. It would seem inequitable to remove these and so it is proposed that those licences should continue to run until they expire.

#### Prospective Drivers

- No new temporary licences will be issued from 1 April 2013 (being the point at which the fees and charges will come into effect for the financial year 2014/2015);

#### Other Considerations

- The knowledge test arrangements will need to be amended in certain respects. Currently, drivers can complete the test either in writing or in their cars with the Licensing Officers. The latter would no longer be possible, as the drivers would not be insured to carry the Licensing Officer and may not have a current CRB certificate. In order to be inclusive it is proposed that an alternative to this would be for the Licensing Officer to read the test to any driver who was not able to complete it in writing and record their answers for them. It is proposed that a separate fee of £14.80 should be set for this.
- Currently, temporary licence holders are only permitted four attempts to pass the knowledge test within the 6-month temporary licence period. As applicants will not be able to obtain a licence until they have passed the knowledge test it may be that this requirement can no longer be justified.

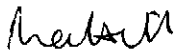
#### 4. RISK ASSESSMENT

##### 4.1 The approval of this report may have the following implications

- Resources – No implications identified.
- Technical, Environmental and Legal – Improved control of licence holders should improve public safety.
- Political – No implications identified.
- Reputation – Improved public safety will enhance the Council's reputation.
- Equality & Diversity – Provision is to be made for the Knowledge Test to be taken verbally rather than in writing.

#### 5. RECOMMENDED THAT COMMITTEE

- 5.1 Remove the provision for temporary private hire drivers licences with effect from 1 April 2014.
- 5.2 Approve the proposal for a knowledge test to be completed verbally and that the fee for this should be set at £14.80.
- 5.3 Consider whether to remove the limit of four attempts in which an applicant must pass the knowledge test.



MAIR HILL  
SOLICITOR



MARSHAL SCOTT  
CHIEF EXECUTIVE

#### BACKGROUND PAPERS

1. Report of Legal Services Manager dated 10 April 2008
2. **Appendix 1** – Letter sent to all Private Operators, Hackney Drivers and vehicle licence holders dated 7 October 2013
3. **Appendix 2** – Table of responses to consultation
4. **Appendix 3** – List of temporary badges issued

For further information please ask for Mair Hill, extension 3216

REF: MJH/Licensing Committee/21 January 2014

# APPENDIX 1

## RIBBLE VALLEY BOROUGH COUNCIL

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please ask for: **DIANE RICE**  
direct line: **01200 414418**  
e-mail: **mair.hill@ribblevalley.gov.uk**  
my ref: **MJH**  
your ref:  
date: **7 October 2013**

Council Offices  
Church Walk  
CLITHEROE  
Lancashire BB7 2RA

Switchboard: 01200 425111  
Fax: 01200 414488  
DX: Clitheroe 15157  
[www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk)

Dear Sir

**RE: Consultation on Hackney Carriage and Private Hire Licences**

I write to inform you that the Council's Licensing Committee has recently been considering two matters, which affect both Hackney Carriage and Private Hire Licences:

1. The introduction of an intended use policy for all Hackney Carriage Licence Holders;
2. The removal of the provision for (6 month) temporary licences.

The Council's Licensing Committee considered reports on these issues on 18 June and 17 September 2013. If you wish to read these reports they are available on the Council's website or you can telephone Jane Horsfield or Julie Holdsworth to request a copy.

The proposed changes are outlined in the attached note.

If you wish to respond with your views on the proposed changes, please do so in writing using the enclosed form and submitting it to me at the above address on or before **18 November 2013**.

Please contact me if you have any queries.

Yours sincerely

**DIANE RICE**  
**HEAD OF LEGAL AND DEMOCRATIC SERVICES**

*To all private hire operators and hackney carriage drivers and vehicle licence holders*

**Ribble Valley Borough Council**  
**Removal of temporary licence and implementation of intended use policy**

The Council's Licensing Committee discussed these matters on 18 June and 17 September 2013. Problems have been identified arising from the temporary licence system and in addition by hackney vehicles licensed in this area working within the areas of other Councils.

The Council's Licensing Committee has therefore decided to consult licence holders with a view to:

- Removing the provision for temporary licences and requiring all applicants to pass the steering to success and knowledge test before a licence is issued; and
- Implementing the Intended Use Policy and draft conditions similar to those enclosed at **Appendix 1**.

**Timetable**

The next meeting of the Council's Licensing Committee will be held on 21 January 2014. It is proposed that the results of this consultation will be reported to that Committee. The Consultation will therefore run from 7 October 2013 until 18 November 2013.

More details on the above proposals can be found in the Committee reports available on request or via the Council's website.

If you wish to respond with your views on the proposed changes to the licensing conditions please do this by completing the enclosed form and submitting it to Diane Rice at the Council Offices on or before **18 November 2013**.

**CONSULTATION RESPONSE FORM**

**Name:** .....

**Address:** .....

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**Licence No:** .....

**Contact details:** .....

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I support/do not support the introduction of an Intended Use Policy

**Comments:** .....

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I support/do not support the removal of the provision for temporary licences

**Comments:** .....

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## APPENDIX 2

### Response to Consultation October 2013

Do you support the introduction of an intended use policy	Comments	Do you support the removal of the provision for temporary licences	Comments
No	Re: Appendix 2 <ul style="list-style-type: none"> <li>• A lot is flag down fairs .... to Clitheroe</li> <li>• Some work is off Taxi Ranks = Rankspace Limited</li> <li>• Some drop off points are farm tracks end of lanes</li> <li>• Pubs and restaurants and Whalley night clubs</li> </ul>	Yes	Re: Appendix 1 <ul style="list-style-type: none"> <li>• It will keep people from using Clitheroe as a stepping stone</li> <li>• And a training centre</li> </ul>
Yes	<ul style="list-style-type: none"> <li>• Due to a licence being issued for this Borough (Hackney) then surely the Hackney should only operate in Ribble Valley, not ply for hire elsewhere.</li> <li>• There would be no need to release more Hackney Plates if the ones</li> </ul>	Yes	Definitely agree with all the proposals. Obviously the current system is not working.

	<p>working as Private Hire in other boroughs worked where they should be.</p> <ul style="list-style-type: none"> <li>• More Hackney Plates = no rank spaces as discussed in the past.</li> </ul>		
Yes		Yes	<p>I do support for the removal of temporary licences because that's why people working in other areas there is too many driver here 4 not much work so people cant make living</p>



### APPENDIX 3

#### LIST OF TEMPORARY BADGES ISSUED DURING THE PERIOD 01/10/12 – 31/10/13

Number	TEST TAKEN	S TO S	FULL BADGE ISSUED	EXPIRY
1.	No	No?	No	08/04/13
2.	Yes	Yes	Yes	Applied for full badge before temporary expired
3.	No	Yes?	No	28/04/13
4.	No	Yes?	No	22/05/13
5.	Yes (4)	No?	No	22/05/13
6.	No	No?	No	23/06/13
7.	Yes (4)	Yes	Yes	25/09/13
8.	No	No?	No	01/10/13
9.	Yes	Yes	Yes	Applied for full badge before temporary expired
10.	No	Yes	No	01/11/13
11.	Yes	Yes	Yes	06/11/13
12.	No	Yes?	Yes	12/12/13
13.	Yes (2)	Yes?	No	19/12/13
14.	Yes (2)	Yes	Yes	27/12/13
15.	No	Yes?	No	03/01/14
16.	No	Yes?	No	16/01/14
17.	No	Yes?	No	08/04/14
18.	No	Yes?	No	28/04/13
19.	Yes (3)	Yes?	No	23/05/13
20.	Yes	Yes	Yes	17/07/13
21.	Yes (2)	Yes	Yes	22/07/13
22.	No	Yes?	No	23/07/13
23.	Yes	Yes	Yes	29/07/13

24.	Yes (1)	No?	No	03/08/13
25.	No	No?	No	03/10/13
26.	No	Yes?	No	26/12/13
27.	No	Yes?	No	30/11/13
28.	No	Yes?	No	19/02/14
29.	No	Yes?	No	22/02/14
30.	No	Yes?	No	26/02/14
31.	No	Yes?	No	09/04/14
32.	No	Yes	No	09/04/14

**\*Yes? On a list provided by the College as having registered for the course but not received certificate in the office.**

**\*No? Not on the list provided by the College – awaiting an up to date list, but would have produced a letter to say they were booked on the course when issued temporary badge.**

**TOTAL INCOME PAID IN FOR TEMPORARY BADGES:  
£877.30**