

Licensing Consultations –

- Taxi Licensing
- Licensing Act Policy
- Gambling Act Policy

July/August 2015

Background

- Consultations are taking place in relation to a number of licensing areas.
- In relation to taxi licensing these are relating to changes we want to introduce, a review of existing policies and also because of changes in the law.
- In relation to the Licensing Act and Gambling Act these are periodic reviews of existing policies required to be carried out by law.
- The public consultations run until 16th August 2015, but there is no fixed deadline for comments by the Scrutiny Commission

Taxi Licensing

- Introduction of longer duration driver licences of up to 3 years
- Penalty Points scheme for driver misconduct
- Proposed awareness training in relation to child sexual exploitation
- Review of existing age policy for taxis

Longer Duration Taxi Driver Licences

- Licences are currently issued for one year
- Change in the law means that we must offer licences for three years unless circumstances justify issuing a licence for shorter duration
- Consulting on policy for deciding licence length

Combined total points on DVLA licence and Council Penalty Points Scheme	Criminal Convictions	Licence Duration
Less than 3	No serious criminal convictions	3 years
3 to 6	No serious criminal convictions	2 years
More than 6	Or any serious criminal convictions	1 year

- Aims would be to ensure riskier drivers are reviewed more often and to encourage better driving and conduct.

Child Sexual Exploitation Awareness Training for Drivers

- Proposal to provide a ½ day awareness training session for all drivers
- Follows on from concerns in other parts of the UK
- Requirement to undertake training within 3 months of grant or renewal of licence.
- Consultation on what other training could be included
- Free for existing drivers and £20 for new drivers

Driver Penalty Points Scheme

- Aims to deal with misconduct with drivers which will not be dealt with in other ways eg prosecution or revocation of licence
- Penalty points will be imposed by officers where evidence exists in relation to misconduct
- Drivers will be given an opportunity to give an account of any alleged misconduct before points imposed
- Where 12 or more points accrued in three year period consideration will be given to revocation of licence
- Driver will have right of appeal to magistrates' court

Proposed points schedule

	Offence/Breach of Condition	Maximum Points Applicable
1	Providing false or misleading information on licence application form, or failing to provide relevant information.	3
2	Failure to use taxi meter for journeys within prescribed distance	5
3	Refusal to accept hiring without reasonable cause	5
4	Parking a vehicle in contravention of parking restrictions	4
5	Failure to display appropriate plates, or plate improperly secured, or failure to display door signs.	3
6	Failure to wear driver's badge	3
7	Failure to undertake 6 monthly vehicle examination	4
8	Driving a vehicle in an unroadworthy condition (eg prohibition notice)	5
9	Failure to notify Licensing Authority of a conviction	3
10	Making of false or misleading statement on licence application form	3
11	Failure to comply with the drivers' code of conduct.	1

Taxi Age Policy

- Current vehicle age policy came into effect in July 2013
- Applies to both hackney carriages and private hire vehicles
- Consulting with the trade on whether any changes needed, but no proposals for change at this stage
- Policy is that vehicles must be less than 5 years old when first licensed and licence will not be reviewed if the vehicle is over 11 years old
- Aims of the policy are to ensure gradual replacement of the fleet over time with more up to date models with better safety features, better reliability and appearance and lower emissions.
- The age limit is clearly a balance between the above aims and the cost to the driver.

Licensing Act Policy

- Purpose of the policy is to direct decision making in relation to licence applications
- Encourage promotion of the Licensing Objectives
- Review of the policy required every five years
- The final policy will require approval by Council

Licensing Act Policy Proposed changes

- A recommendation that off-licences in areas associated with problem street drinking adopt a reducing the strength scheme.
- Sets out the steps that the licensing authority would expect to be taken to prevent crowd disorder at boxing events.
- A recommendation that a risk assessment is undertaken and the police are informed about events aimed at children in premises which normally sell alcohol.
- A recommendation that proper incident recording systems are implemented at licensed premises.
- A recognition that it may be appropriate to carry out a risk assessment where events promoted by a third party or which are not part of the usual business of the premises are to take place.
- The consultation also asks for views about whether existing cumulative impact zones are still required or need to be extended

Gambling Policy Review

- Purpose of the policy is to direct decision making in relation to licence applications
- Encourage promotion of the Licensing Objectives
- Review of the policy required every five years
- The final policy will require approval by Council

Gambling Policy Proposed Change

- The Gambling Commission is proposing that local authorities introduce local area profiles, which will include details of local risks from gambling premises
- Local area profiles will highlight issues that premises will be expected to address in their risk assessments
- Further guidance is awaited on local area profiles. The proposed council policy therefore states that it will develop a local area profile.

Any Questions?

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