

# KETTERING TOWN COUNCIL

## REPORT FOR DECISION

Item No:- 22/027

Committee:-	Council
Date:-	13 <sup>th</sup> July 2022
Author:-	Martin Hammond, Clerk
Report Title:-	Taxi Licensing Consultation
Wards Affected:-	All

### 1. Purpose of Report

To summarise a consultation document issued by NNC on changes to their taxi licensing policies.

### 2. Recommendations

**Council is recommended** to agree a response to the consultation.

### 3. Information

- 3.1. North Northamptonshire Council is consulting on a new draft Hackney Carriage & Private Hire Licensing Policy and Conditions. This draft policy is intended to replace the four legacy sovereign policies and conditions that are currently in place, with the intention of having one new policy and conditions to cover the whole of North Northamptonshire. The new draft policy and conditions have built on the baseline set out in the previous arrangements, and incorporated updated requirements and best practice. Due to the extremely complex nature of combining four separate policies and conditions into one draft document, and updating with best practice requirements, a mapping document has not been compiled to highlight the changes. The new draft policy and conditions, and a consultation response questionnaire can be downloaded at:  
<https://northnorthants.citizenspace.com/licensing/north-northamptonshire-hackney-carriage>.

3.2 The consultation ends on the 27<sup>th</sup> July. The consultation documents are extensive and contain 14 policy papers. Key extracts from the papers are set out in the appendices to this report as follows:-

- a) NNC policy objectives
- b) Vehicle standards and inspection

3.3. In essence, the policy proposes that, for the purposes of hackney carriage licensing, the NNC area is zoned into four areas, each of which reflects one of the four previous district council areas. By adopting this policy North Northamptonshire Council is adopting the separate previous sovereign authorities arrangements in place for the purposes of regulating Hackney Carriage and Private Hire licensing activities in North Northamptonshire. For private hire licensing, there is one single zone for the whole of the NNC area. Hackney carriages will only be able to ply for hire in the zone in which they are licensed, but all hackney carriages and private hire vehicles will be able to take pre-booked hirings anywhere in the district.

3.4 All drivers and operators will need to demonstrate they are fit and proper persons to hold a licence, which means satisfying conditions in relation to past convictions, and vetting through the barring and disqualification process. Drivers will need to undergo a knowledge test of the highway code, byelaws and, for hackney carriage driver applicants, pass a test of their detailed knowledge of local areas by zone and route planning. All drivers must be able to prove a right to work in the UK, have sufficient proficiency in the English language and periodically undergo a medical examination. They must also pass a Council approved training sessions on Safeguarding and equality and diversity. All applicants for a driver's licence must attend and pass the Taxi Drivers Standard Assessment, or Enhanced Assessment for wheelchair accessible vehicles test, prior to applying for a licence. Any driver who will be driving a wheelchair accessible vehicle must undertake the wheelchair assessment beforehand.

3.5 All new hackney carriages must be black in colour must be wheelchair accessible and either a purpose constructed hackney carriage, an MPV or a minibus and meet certain standards. They must be no older than four years when first registered and must undergo regular testing at an approved testing site before being licensed or re-licensed.

3.6 New and replacement vehicle licence applications between the date of this policy coming into force and 31 March 2025 must meet Euro 6 emission standards. No new applications for vehicles fuelled by diesel only or petrol only will be licensed after 31 March 2025.

- 3.7 Where CCTV is used within vehicles the policy sets out standards the operator must meet to comply with the law.
- 3.8 All private hire vehicles must be manufactured or adapted to carry up to eight hirers not including the driver; this number includes any hirers who may be seated in wheelchairs if the vehicle is capable of transporting such hirers.
- 3.9 Appendix C lists all the current taxi ranks in Kettering. The one in Newland St would seem to be redundant as the most recent changes in access to Newland St allowed for pre-booked setting down and picking up by hackney carriages only, not for plying for hire.
- 3.10 Appendix C also sets out fare levels in Kettering. Although it is hard to make exact comparison with those in the other three zones, they appear to be cheaper than the other three zones.

### **3. Consultation and Engagement**

KTC is the consultee.

### **4. Finance, Legal and Resource Implications**

None for KTC

### **5. Policy Implications**

The Council's corporate plan states:-

- a) The Council will support growth and the continuing economic welfare of the town, provided this growth is as sustainable as it can be.
- b) The Council will support the town centre – through encouraging and delivering facilities, through putting on events and markets, and will help to make the town centre safe, attractive, interesting and varied, with local businesses thriving alongside national retailers and service providers.
- c) The Council will support measures to improve public safety, road safety, and the safety of the night time economy in Kettering.
- d) The Council has approved motions declaring a climate emergency. It has established a climate change working group, which is exploring ways of encouraging and supporting sustainable habits and opportunities for local people. It is currently prioritising widening the scope and opportunities for recycling and supporting more tree planting.

- e) The Council will support the development of walking and cycling infrastructure and the growth of public transport.

Background Papers

Consultation documents from NNC

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04/07/2022

## APPENDICES

### Appendix One – Extract One

#### Policy Objectives

- 3.1 The aims of this policy are:
- To ensure the public can travel safely in hackney carriages and private hire vehicles licensed in North Northamptonshire
  - To encourage a sustainable mixed fleet of vehicles
  - To ensure all licence applications are administered and scrutinised fairly
  - To ensure that appropriate enforcement measures are used when required
  - Those driving, operating and using licensed vehicles know what to expect from the Council in respect of licensing and the application of all relevant legislative requirements.
  - to pay regard to the need to eliminate conduct prohibited by the Equality Act 2010, to promote equality of opportunity and to foster understanding between people who share a protected characteristic and those who do not.
- 3.2 The Council will achieve these outcomes by:
- Setting the standards for the licensing of drivers, vehicles and operators;
  - The licensing and routine inspections of vehicles, with appropriate follow up action;
  - Routine inspection of insurance policies, with appropriate follow up action.
  - Assessing applicants to ensure they are 'fit and proper' persons and so entitled to hold a licence. This will include consideration of medical suitability, criminal record (if any), driving standards, relevant intelligence and knowledge of the relevant law and locations in North Northamptonshire.
  - Investigation of complaints with appropriate follow up action.
  - Liaison with the Police, other local authorities and other

relevant agencies regarding issues of mutual concern in relation to offences or the conduct of licence holders / applicants;

- Taking enforcement and / or disciplinary action including prosecution proceedings, verbal and written warnings, written cautions, notices, suspension or revocation of licences or applying NNC Licensing Penalty Points to licences, for breaches of legislation or conditions and / or in connection with reports or incidents of poor conduct;
- Applying the provisions of the North Northamptonshire Enforcement Policy.

## **Appendix Two - Extract Two**

### **VEHICLE SPECIFICATIONS, AGE, AND TESTING REQUIREMENTS FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES**

- 6.1.1.1 This policy requires that vehicles must be no older than four years from the first day of registration on initial application to North Northamptonshire Council for a Private Hire or Hackney Carriage Vehicle Licence.
- 6.1.1.2 For licensing purposes, the age of a vehicle will be determined by the date of first registration in the country of origin, if this is not recorded on the V5 document (Log Book), it will be the responsibility of the registered keeper to supply suitable documentary evidence to prove the date of first registration.
- 6.1.1.3 Once licensed, a vehicle which is older than four years and which has not passed its annual test on or before the date of expiry of its current vehicle licence will not be reconsidered for renewal of the vehicle licence.
- 6.1.1.4 This policy requires that any licensed vehicle cannot be more than ten years old (from date of registration).
- 6.1.1.5 For clarity, the age restrictions above apply equally to all vehicles, including Executive, Novelty and Special Occasion vehicles.

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## 6.1.2 Vehicle Testing and Inspection

- 6.1.2.1 All vehicles put forward for licensing are required to pass the Council's licensed vehicle test before being licensed or renewed. The test must be conducted at a Council approved garage. The test is in the form of a checklist that allows for a simple pass or fail. It is therefore important that vehicles are presented in a condition to meet the requirements for a pass.
- 6.1.2.2 Vehicles may be tested (MOT and the Council's licensed vehicle test) at any testing station approved by the Council, provided the testing station is familiar with the relevant grandfather rights for all vehicles and the zone requirements in the case of Hackney Carriages. Notwithstanding the above, the Council retains the right to direct a licensee to take their vehicle to a specific nominated testing station for testing at any time. It expects vehicles to remain compliant with the test standard at all times between tests.
- 6.1.2.3 Two combined MOT and Council tests are required annually for all vehicles up to ten years of age.
- 6.1.2.4 The operator of any vehicle requiring a MOT test other than a Class 4 must arrange the test at an appropriate DVSA MOT testing station for the class of vehicle. Because of the different MOT class the testing station may not be included in the testing stations contracted to North Northamptonshire for the purpose of testing licensed vehicles. This will relate to vehicles such as stretched limousines which require a Class 6 MOT.
- 6.1.2.5 Any vehicle that fails to pass the Council compliance test is not considered to be fit for use as a licensed vehicle and must be withdrawn from service until the vehicle has been re- tested and passed as fit. The person licensing a vehicle must ensure that it is submitted for compliance testing on or before the relevant renewal dates and that vehicles remain fit for service at all times.
- 6.1.2.6 Any vehicle found during testing to have faults which may render it unsafe or unsuitable for licensed work may have its vehicle licence suspended with immediate effect.
- 6.1.2.7 Vehicles shall be liable to being inspected and tested at any time (in accordance with the requirements of the 1976 Act).

If, upon inspection, it is discovered that a vehicle is not being properly maintained or kept in good order, a notice may be served on the owner to this effect setting out the defects to be remedied. If public safety is compromised by the defects, further use of the vehicle may be prohibited (by suspension of the licence) until the defects have been addressed and the vehicle has successfully undergone a further inspection / Council test to demonstrate that the vehicle is roadworthy. The cost of such a test is to be paid for by the proprietor. If the licensed vehicle is not brought up to standard within two months without good reason, the Council will deem the licence revoked.

- 6.1.2.8 On revocation or expiry of the notice of suspension of a licensed vehicle, the Council may issue further notices, requiring the proprietor of that vehicle licensed by them, to return the licence plate within seven days after service of service of the notice. Failure to comply with the requirement to return the licence plate is a criminal offence which on conviction could render a proprietor liable to a fine.

## **Appendix C Extract C - Kettering Zone only**

### **a) Taxi Ranks in Kettering**

- Horsemarket, Kettering east side of the central island in Horsemarket, in the bus bays between 20:00 and 06:00 only on any day for 10 taxis.
- Sheep Street, Kettering on the west side of Sheep Street immediately to the south of the junction with George Street (outside the hotel) for 3 taxis.
- Silver Street, Kettering on the west side of Silver Street immediately to the south of the junction with Gold Street for 4 taxis.
- Dalkeith Place, Kettering on the east side of Dalkeith Place 25 metres south of the junction with School Lane for 3 taxis.
- Newland Street, Kettering on the east side of Newland Street 25 metres north of the junction with Gold Street for 2 taxis.
- Tanners Lane, Kettering on the south side of Tanners Lane adjacent to the entrance to the shopping centre for 3 taxis.



**b) Fares table for Kettering - Fares currently set as:**

<b>Tariff 1</b> <u>Mileage:</u>	FARE
<b>IF THE DISTANCE DOES NOT EXCEED 6/12THS OF ONE MILE:-</b>	
for the whole distance	£2.40
<b>If the distance exceeds 6/12ths of one mile:-</b>	
for the first 6/12ths of one mile of the distance	£2.40
for each subsequent twelfth of a mile or uncompleted part thereof	£0.20
<b><u>Waiting Time:-</u></b>	
Initial Waiting Time of 216 seconds	£0.20
Then for each period of 36 seconds	£0.20
<b><u>Extra Charges</u></b>	
<b>Tariff 2</b> For hirings begun after 6am on a Sunday	+ 50% of the above rates
For hiring's begun between 11pm and 6am except on Christmas Day, Boxing Day and New Year's Day	
For hirings on Bank Holidays and other nationally recognized Public Holidays other than Christmas Day, Boxing Day and New Year's Day	
For journeys carrying more than 4 people, providing they are licensed accordingly	
<b>Tariff 3</b> For hirings begun 6pm on Christmas Eve to 6am the day following Boxing Day and 6pm on New year's Eve to 6am the day following New Year's Day	+ 100% over the above rate
If these days fall on a Saturday or Sunday then this rate to extend to 6am following the appointed extra bank holiday days	
ONLY <u>ONE</u> OF THE ABOVE EXTRA CHARGES PERMISSIBLE AT ANY TIME	
<b><u>Soiling charge</u></b> (may be charged <u>in addition</u> to the above extra charges)	£50.00 (subject to extra tariff charges)