

TEIGNBRIDGE DISTRICT COUNCIL

Licensing and Regulatory Committee

15 April 2021

PART I

Report Title	HACKNEY CARRIAGE AND PRIVATE HIRE POLICY – DRIVING ASSESSMENT DEVIATION DURING COVID
Purpose of Report	To seek approval to be able to temporarily deviate from the Hackney Carriage and Private Hire policy to require a Drivers Assessment Certificate prior to the issue of a licence.
Recommendation(s)	The Committee RESOLVES to: Approve the temporary deviation from the Hackney Carriage and Private Hire Policy for the Drivers Assessment Certificate until such time as Covid Restrictions are permanently lifted and everything is back to normal.
Financial Implications	Licensing is self-financed by the licensed fees.
Legal Implications	Mrs Marie Downey, Solicitor, (Generalist) Email: marie.downey@teignbridge.gov.uk
Risk Assessment	The Licensing Authority has a statutory duty to ensure that reasonable steps are in place to carry out checks on new applicants and current drivers to enable them to determine if they are fit and proper to hold a hackney carriage and/or private hire drivers' licence. The paramount objective is to ensure public safety. Mrs Andrea Furness, Licensing Manager Email: andrea.furness@teignbridge.gov.uk
Report Author	Mrs Andrea Furness, Licensing Manager Email: andrea.furness@teignbridge.gov.uk
Portfolio Holder	Alistair Dewhurst Executive member for Waste Management & Environmental Health
Appendices / Background Papers	Hackney Carriage and Private Hire Licensing Policy

1. INTRODUCTION / BACKGROUND

- 1.1 Under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 the District Council has responsibility for the licensing of Hackney Carriage and Private Hire vehicles and their drivers within the district. Under this legislation the Council has the responsibility to create licensing conditions to ensure that the vehicles and drivers licensed by the authority are fit and proper to carry fare-paying passengers.
- 1.2 Throughout the pandemic and especially through the lockdown periods the ability to carry out a driving assessment has been suspended. The current suspension is in place until 22 April 2021.
- 1.3 Businesses have been unable to recruit new drivers and individuals have been unable to apply as they are be unable to meet the current application requirements.
- 1.4 In order to help businesses and individuals to be able to try and get back to some form of normality, Committee is being asked to allow a deviation from the current Hackney Carriage and Private Hire Policy that states:

‘4.2 Driver Application Procedure

Together with a completed application form, applicants will need to provide the following:

Driving standard assessment equivalent to the Driving Vehicle Standards Agency taxi driving assessment.’

- 1.5 To consider allowing a licence to be issued, on the proviso that the driving assessment certificate is provided within four months of the drivers’ licence being issued or within a timescale agreed with licensing. This will be dependent on the situation with Covid and any restrictions which may prohibit drivers meeting this four month requirement, this could be for up to 12 months.
- 1.6 If the driver does not comply with this requirement and there are no restrictions that would prohibit the driving assessment from taking place within the four month period, then the licence will be suspended until such time as the driving assessment is been completed and submitted to licensing.

2. CONCLUSION

That Committee approve the temporary deviation from the Hackney Carriage and Private Hire Policy for the Drivers Assessment Certificate until such time as Covid Restrictions are permanently lifted and everything is back to normal.