

Taxi and private hire

Winter 2012 newsletter



Welcome to the winter 2012 taxi and private hire newsletter.

Please take a few minutes to read this as we would like to keep you informed of all relevant taxi and private hire matters. We would be grateful to receive your feedback on articles contained within this edition. Your views are important and can influence policy matters for approval by the Licensing Committee. Please return the feedback form at the end of the newsletter or email the licensing team at licensing@basingstoke.gov.uk with your comments. If you would like any particular matters featured in future articles, please let us know.

The licensing team would like to wish you all a happy Christmas and New Year.

Inside this issue

- Frequently asked questions
- Enforcement corner
- Seatbelt law reminder
- Display of no smoking signs
- CRB update
- Policy review
- Taxi reform update
- Licence renewals
- Gym membership
- Committee updates
- Driver safety guidance
- Keep us informed plus much more...



Advertising on vehicles

Proprietors wishing to advertise on licensed vehicles must gain prior approval from the council before applying any advertising materials. Any unauthorised advertising may result in the suspension of the vehicle licence until such times as the advertising is approved or removed and may result in the vehicle failing its compliance test. Private hire vehicles are restricted to advertising their business only.

Display of no smoking signs

The Smoke-Free (signs) Regulations 2012 became effective on 1 October 2012. All licensed vehicles are now only required to display one no smoking sign, although multiple signs can be displayed. There are also no restrictions regarding the sign's size, location and design.



Return of badges/plates



Officers notify licensees when renewal licences are produced and when licence, plates or badges are available for collection. Please remember to drop off the expiring badge or plate at the same time as collecting the new ones.

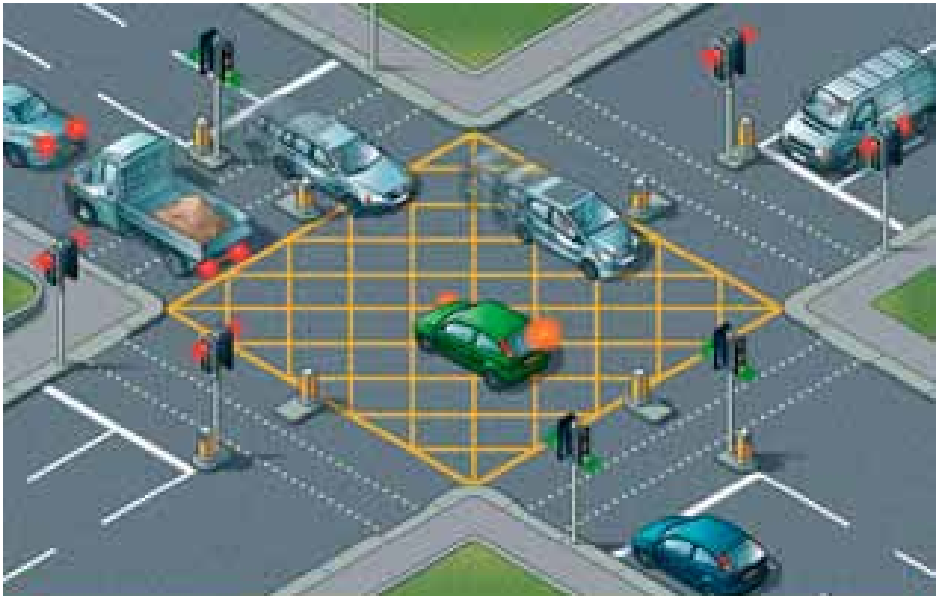
Stopping on box junctions

Recently motorists, including licensed drivers, have been seen entering and stopping on box junctions when the exit route is not clear. This is a contravention of Rule 174 of the Highway Code.

Drivers **MUST NOT** enter a box junction, which can be identified by the yellow criss-cross pattern painted on the road, until the exit road or lane is clear. Drivers may enter the box and wait when wanting to turn right and are only stopped from doing so

by oncoming traffic, or by other vehicles waiting to turn right. At signaled roundabouts drivers **MUST NOT** enter the box unless you can cross over it completely without stopping.

Stopping on box junctions causes traffic congestion and in the example of the box junction at the railway station rank prevent taxis from leaving the rank. Please consider your colleagues and ensure you do not stop unnecessarily on any box junctions.



Rule 174: Enter a box junction only if your exit road is clear

Licensing committee update

The Licensing Committee meets almost every other month to consider all policy matters relating to licensing functions and receive updates on changes to the law. HC and PH licence holders can attend these meetings. Dates for meetings in 2013 are scheduled for 30 January, 27 March, 22 May, 24 July, 25 September and 20 November. More information can be found on the council's website: www.basingstoke.gov.uk

Since the last newsletter the following taxi and private hire related matters have been decided or noted at licensing committee.

- licence fees agreed for 2013/14
- enforcement update
- PHV driver safety shield

Within the coming year officers will be reporting a hackney carriage fare increase and option to consult on updating the taxi and private hire licensing policy to the committee.

Smoking in licensed vehicles

Despite numerous reminders about smoking offences within hackney carriage and private hire vehicles and the display of no smoking signs, several drivers have been witnessed smoking in licensed vehicles. This appears to be an on-going issue since the smoking ban came into force.

Further warnings and fixed penalties have been issued to licensed drivers (since the mention in the last newsletter). If you are a smoker, you and your passengers must not smoke in a licensed vehicle at any time, whether you have passengers or not.



Badge wearing requirements

Licensed hackney carriage and private hire drivers are required by conditions, byelaws and under the Local Government (Miscellaneous Provisions) 1976 Act to wear badges in a plainly visible position at all times whilst carrying out working duties. Failure to wear a badge is an offence.

Passengers must be easily able to identify the driver of the vehicle they are travelling in is suitably licensed. Your badge is your photographic identification as a licensed driver.

Officers have previously suspended drivers for not carrying their badges. We have also found drivers keeping their badges in glove compartments or other similar locations whilst on duty and in the case of shared vehicles displaying a colleague's badge in their vehicle. When you are working, you must wear your badge and we provide lanyards to enable you to do this.

Following a request from the hackney carriage federation, new badges will display driver names less conspicuously on the reverse side of the badge. The photo side will display your licence reference number and expiry date.



Enforcement corner

The council follows a structured enforcement policy and investigates all complaints, allegations, incidents and non compliances thoroughly before action is taken. Anyone who is the subject of an allegation is always given the opportunity to state their case. This may be by informal discussion, interview or for more serious cases; by a formal interview under caution. This is required to ensure that legal rights are protected.

Any enforcement action is not taken lightly and must be appropriate and proportionate to the matter under investigation. Interviews and other actions are carried out in line with the council's policy and the Police and Criminal Evidence (PACE) Act codes. The main consideration is the impact on public safety and the seriousness of the allegation or offence.

Hackney carriage and private hire drivers are listed occupations and covered under the police notification scheme. The police central vetting unit will notify us where a licensed driver has been arrested or interviewed about any offence. You must notify the council if you are subject to police investigation or convicted of any offence. This question is always asked on an application and licence renewal form so must be declared. Officers work in partnership with the police and other enforcement agencies and conduct daytime and evening enforcement sessions.

Since our *Spring 2012* newsletter, the licensing team has had to revoke and suspend several driver licences. We have also taken enforcement action against licence holders (drivers, vehicle proprietors and operators) for various reasons including:

- smoking in licensed vehicles
- PHV parked on a HC rank
- unacceptable behaviour or unsuitable conduct from licensees
- non compliance with conditions
- driving without insurance
- non compliance with operator conditions
- 'road rage'
- drink driving
- operator using unlicensed driver
- driving whilst using a mobile phone
- tyres nearing legal limit
- drivers not displaying or wearing badges
- poor condition of vehicles
- DVLA licence records not up to date
- violent behaviour
- not keeping us informed of an up to date correspondence address
- late renewals
- non-compliance with traffic signs
- non display of up to date tax disc

Many of these issues were picked up during daytime and evening multi agency enforcement sessions. Any relevant actions are recorded and can be used as evidence if there is cause to take further enforcement action against licensees.

We are pleased to say however, that overall the numbers are very low and the vast majority of drivers are not subject to investigation.

Details of the team's enforcement sessions are presented to the licensing committee and the cabinet member for community safety. Both are keen for the team to perform regular inspection and enforcement sessions across all areas of licensing.

Some of the above actions resulted following investigation into complaints made against licensed drivers. We have a thorough investigation procedure and take action based on the reliable evidence provided. If you wish to report a complaint, please do so in writing and be aware that you may also be asked to provide a witness statement. Without a statement, the complaint may not be investigated.



Seatbelt law

We want to remind all licensed drivers that they are only exempt from wearing a seat belt whilst driving on duty. For example, when they have passengers in their vehicle or when plying for hire (hackneys only). Seat belts must be worn at all other times including when using vehicles for personal use.

Private Hire Drivers are only exempt from wearing a seat belt when working and passengers are present in their vehicle. Seat belts must be worn at all other times when passengers are not on board.

Christmas opening hours

The council offices will be closed from **2pm on Monday 24 December 2012 (Christmas Eve) until 8.30am on Wednesday 2 January 2013**. The licensing team will ensure all licences are up to date before the closure period and that all licences are processed within the 10 working day period in the New Year. If your licence is due for renewal over the festive season, please ensure it is submitted 10 working days before its expiry date.

Guidance for licensing new vehicles

Before committing to buying a vehicle that you wish to licence as a private hire or hackney carriage, please ensure it meets local licensing requirements. The requirements are set out within vehicle guidance notes which can be found on the hackney carriage and private hire sections on our website at www.basingstoke.gov.uk

If you are interested in licensing a vehicle and require any guidance please contact the council licensing team who can confirm if the vehicle is suitable.

Before any new or replacement vehicle can be licensed, applicants are required to provide a completed application form and relevant fees. If the vehicle is replacing a currently licensed vehicle any unused full months licence fee can be set against the new licence fee. We recommend you make an appointment with officers in advance if you require a new or replacement vehicle licence processed on the same day as it is tested.



Wearing MP3 earphones

Wearing earphones to listen to MP3 players reduces awareness of what happening on the roads around you and affects your ability to drive safely. It affects the customer being able to communicate with you. This is not acceptable and officers will take action if they witness any drivers wearing headphones.

CRB changes

On 1 December 2012, the Criminal Records Bureau (CRB) merged with the Independent Safeguarding Authority (ISA) to become the Disclosure and Barring Service (DBS). The DBS, established under the Protection of Freedoms Act 2012, will provide a joined up service to combine the criminal records and barring functions.

This will replace what you know as the CRB.

The service and currently provided by the CRB is not changing as a result of the merger. DBS will continue to deliver the service to customers as normal throughout this transition.

The re-branding exercise will result in some minor changes to the application form and also to which forms of identification can be accepted for your DBS checks. Our interim reminder letters will now refer to criminal history checks as DBS. Further information will be in the letter you receive when your check is due. For further details please visit www.homeoffice.gov.uk/crbischanging



Insurance documentation

The requirement to provide insurance documents is an important part of licensing. When dealing with applications, officers are frequently provided with insurance documents which do not show that applicants are suitably covered. This includes policies where the insurance certificate covers numerous drivers and vehicles. It is the responsibility of the applicant to ensure the application is complete and demonstrate cover exists.

Currently officers are spending excessive time contacting insurance providers to request insurance cover documentation which also increases the application processing time. Any incomplete applications or those not demonstrating suitable insurance cover is in place will be returned to the applicant.



Application checking service

The team will shortly be learning the results of the council 'efficiency and savings' review which is likely to lead to changes within the department and how we conduct our administration and enforcement activities.

The review has already highlighted that an inappropriate amount of time is being taken to address applications which are incomplete. To address this, next year the team will be implementing a licensing checking service where a member of the team will be in reception and provide a licensing checking service similar to that offered by the Post Office for car tax and passport applications. Only complete applications will be accepted with remedial advice given to any applications handed in which are incomplete. When this service is implemented, we propose to turn around any complete applications delivered within four working days.

Officers will continue to review existing standards, procedures and practices to look at where processes can be streamlined and prioritised.

National taxi reform update

The Law Commission is currently examining the legal framework relating to hackney carriages and private hire trades with a view to making it simpler and more modern. They published a consultation paper with provisional proposals for reform in May 2012. The public were given four months to respond to the proposals. The Law Commission propose to publish a final report with their recommendations and draft a bill in late 2013.

The licensing team will continue to update you with developments. It will be for Parliament to decide whether the law will be revised.

The licensing team will be reviewing the council's policy relating to the hackney carriage and private hire licensing. Following that review, we will publish a licensee handbook containing all relevant matters in relation to the trade. Any changes made to the legislation following the law reform review will be taken into account within our future review of the taxi licensing policy.

We would appreciate your feedback. We will consult with licensed trade and stakeholders before a finalised local taxi policy is presented to the licensing committee for their approval consideration.

Changes to Group 2 vision standards

The council use the DVLA group 2 medical standards as the level of medical fitness drivers are required to meet. On 1 May 2012, changes to Group 2 driver licensing standards came into effect relating to visual acuity using corrective lenses if necessary. The standards are published on the Department for Transport website: www.dft.gov.uk under medical information (within the 'at a glance' guide).



Spare tyre requirements

All licensed vehicles are required to carry a full size spare tyre at all times. Failure to do so will result in the vehicle being suspended. Borough testing stations have recently been reminded of this requirement and any vehicles not carrying a full size spare tyre will not pass a compliance test.

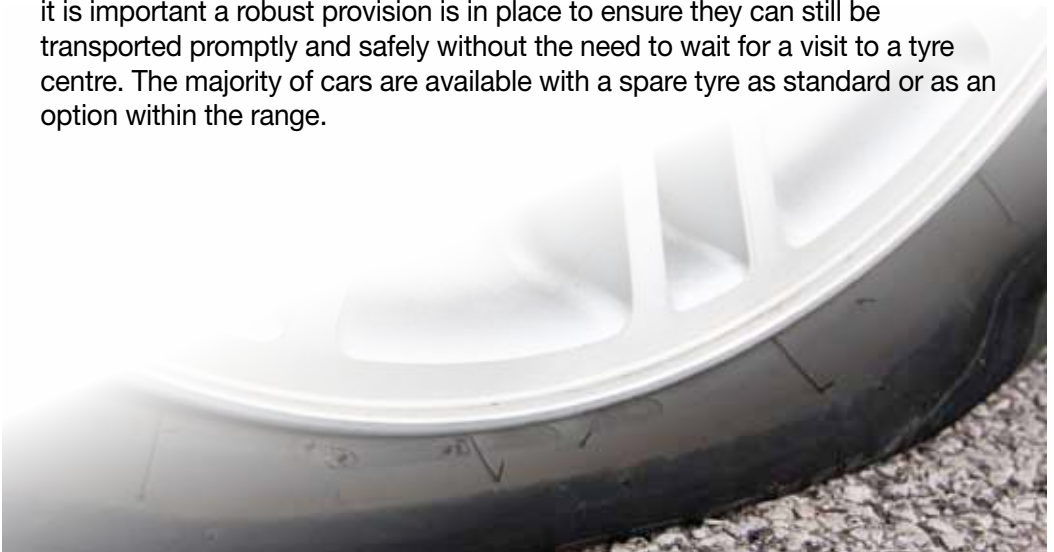
Many manufacturers appear to be phasing out full size spare tyres and no longer supply them with some models of vehicles. Instead they provide a do-it-yourself kit complete with sealant or a space saving/run flat tyre.

A recent Green Flag report revealed that the number of call outs to drivers left stranded has increased. The RAC said they've had over 80,000 call outs a year from people who have no spare tyres and from drivers who have had limited success with the sealant kits. Repair kits will only repair tyres with small punctures. Where there is side wall damage or a deep cut, the kits won't work.

It appears an incentive for manufacturers to provide repairs kits as opposed to spare tyres relates to making the car lighter to improve fuel economy as the spare wheel adds around 20 kilograms of weight.

As the licensing authority, we do not consider the kits to be reliable. They are reliant on the driver's ability to competently use the kits and some tears and punctures are too substantial to be fixed using them. We have to consider problems which could result for passengers and the driver.

Run flat tyres are only designed to be used for drivers to visit the nearest tyre replacement centre. Should punctures occur whilst transporting passengers, it is important a robust provision is in place to ensure they can still be transported promptly and safely without the need to wait for a visit to a tyre centre. The majority of cars are available with a spare tyre as standard or as an option within the range.



New fees

The Licensing Committee has approved the licensing fees for 2012/13. The amended fees, effective from 1 April 2013, are as follows:

Licence Type	Fee 2012/13
Driver's licence 1 year	£112.50
Driver's licence 3 year	£282.00
Operator licence 1 year	£173.00
Operator licence 3 year	£405.00
Hackney carriage / Private hire vehicle licence	£240.00
Hackney carriage meter test	£18.00
Hackney carriage driver knowledge test/retest	£34.00
Private hire driver awareness test/retest	£34.00
Vehicle plate fixing bracket	£10.25
Vehicle replacement plate – front	£9.00
Vehicle replacement plate – rear	£22.70
Private hire vehicle plate deposit – front	£9.00
Private hire/hackney carriage vehicle plate deposit – rear	£22.70
Vehicle ownership transfer	£28.25
Vehicle replacement door signs	£6.20
Replacement licence fee	£15.50
Replacement driver badge	£17.50
Temporary Vehicle Licence	£54.00

Note: The Disclosure and Barring Service (DBS) formerly Criminal Record Bureau (CRB) sets the fee for DBS checks which we collect on their behalf. This remains at £44 for 2012/13.



Driver gym membership discount

Anytime Fitness, based at Crown Heights, is currently offering a membership discount to all borough council licensed hackney carriage and private hire drivers. This offer expires at the end of January 2013. Several drivers have already taken up this offer and are enjoying the benefits of the gym. Although we do not recommend any gym over another, we support initiatives which encourage the general wellbeing and fitness of drivers. We would like to thank the Hackney Carriage Federation for their role in negotiating and promoting such a scheme.



“But...

Gyms aren't open at a time to suit me.”

“...We're open 24/7 to fit around you.”

Offer ends 31/01/13.



30% OFF

for Hackney Carriage and Private Hire Drivers plus family/partners.

Standard membership ~~£34.95~~ per month
Taxi membership £24.60 per month

Call Anytime Fitness **Basingstoke**
on: **01256 533054**

Anytime Fitness, Crown Heights, RG21 7SY

No more excuses

...it's your health

Euro Car Parts, who are located at Houndsmill Industrial estate, offer a 'special licence badge discount' to licensed Basingstoke and Deane drivers upon production of your badges. They have a special 'Black Cab Parts Guide Brochure' which is available upon request to Euro Car Parts.

Replacement 'no booking no ride' door signs

When you replace 'no booking no ride' door signs, you must ensure they are applied to the vehicle in accordance with the vehicle conditions. All vehicles are required to be inspected when door signs are replaced following incorrect positioning of the signs and use of magnetic signs which is prohibited. Vehicles displaying the signs in the incorrect position will be suspended until the signs have been correctly applied.



Keep us informed

It is important you keep us informed of:

- changes to your address or contact details
- changes to the operator you work for
- medical health/conditions which may affect your fitness to drive
- any criminal or motoring offences or endorsements
- any warning or cautions you receive.

Failure to notify the licensing authority is an offence. You are required to report any accidents involving a licensed vehicle which causes damage materially affecting the safety, performance or appearance of the vehicle, or the safety, comfort or convenience of passengers as soon as reasonably practicable and in any case within 72 hours of the accident.





Your views matter

If you have any comments, questions, suggestions or topics you would like included in the next newsletter please complete and return the slip below.

Name

Address

Licence number

Contact number

Email address

Comments, questions or suggestions

Please return this form to the licensing team at:

Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke, RG21 4AH

Alternatively, email your comments, questions or suggestions entitled taxi and private hire feedback to licensing@basingstoke.gov.uk

©Basingstoke and Deane Borough Council November 2012

www.basingstoke.gov.uk

customer.services@basingstoke.gov.uk

01256 844844

Follow us on Twitter: twitter.com/BasingstokeGov

If you need this information in a different format, for example large print, CD or Braille, please contact the council.

