

LICENSING COMMITTEE

Private Hire Operator Checks

6th June 2024

Report of Licensing Officer

PURPOSE OF REPORT

To inform the committee of the outcome from recent Private Hire Operator checks

This report is public.

RECOMMENDATIONS

- 1. The Committee is asked to note the outcome of the operation.**

1.0 Introduction

- 1.1 The Council grants private hire operator licences under Section 55 of the Local Government (Miscellaneous Provisions) Act 1976.
- 1.2 Licence holders are legally required to accept pre-booked journeys on a hire and reward basis with such a licence providing their vehicles are insured for this purpose.

2.0 Background to the private hire operator checks

- 2.1 The operation was conducted by three licensing officers over a number of weeks to ensure compliance with the Council's Private Hire and Hackney Carriage Licensing Policy in respect of private hire operators.
- 2.2 There are various options available to the Private Hire Operators licence issued by the Council dependent upon the number of vehicles they utilise with an option of a licence for a duration of one or five years.
- 2.3 The majority of private hire operators were receptive to the checks undertaken and accepted the need for compliance to ensure all licence holders were adopting satisfactory standards.

2.4 The table details the number of private hire operator licences in operation in the district.

	1 Vehicle	2-10 Vehicles	11-25 Vehicles	26 Vehicles and over
One year	15	1	0	1
Five Years	17	5	1	2
	Fees			
One Year	£150.00	£205.00	£270.00	£376.00
Five Years	£643.00	£797.00	£1,064.00	£1,530.00

3.0 Purpose and objectives of the private hire operator checks

3.1 The project was an important exercise to satisfy the Council that licensed private hire operators were aware of and adhering to the conditions of their licences in respect of the following criteria:

- Records of bookings (digital & manual)
- Sub-contracted work
- Vehicle log
- Driver log
- Safeguarding awareness
- Staff training records (where appropriate)
- Complaints are recorded.
- Lost property

3.2 The Private Hire Operator Inspection Report utilised by Officers is attached at **Appendix No.1**.

3.3 This was an opportunity for Officers to have rare face-to-face interaction with Private Hire Operators helping to improve communication between both parties and receive feedback on concerns they have about what is affecting their trade.

4.0. Summary of the main outcome from the operation.

Summary inspection results

- 43 individual private hire operator inspections were carried out.
- 42 compliant to Licensing Officers' satisfaction.
- Licensing staff advised 1 private hire operator that improvements were required.

Licensing Officers were satisfied with the overall high level of compliance with the day-to-day recording of bookings for pre-booked journeys undertaken.

The Council's current Private Hire and Hackney Carriage Licensing Policy became effective from 1st April 2022 and as such time was spent discussing the requirements contained therein for the benefit of operators yet to be licensed under these specific conditions and explaining any additional requirements that they may not be familiar with.

Details of the Conditions of Licence for Private Hire Operators taken from Appendix P of the aforementioned policy are extracted for Members' attention at **Appendix B**.

5.0 Feedback

- 5.1 Every taxi operator that Officers saw was friendly, and co-operative. Overall, we were impressed with the standard of taxi operators, with most complying with the terms on their licence.

A number of licence holders utilise their Private Hire Operator licences specifically to fulfil school contracts they possess with Lancashire County Council only, whilst all other duties they undertake on a hire and reward basis are through one of the four major Operators within the District.

A concern which was raised during the operator inspections was that one operator, who conducted airport transfers only, informed us that they had not seen anyone from the Licensing Authority in over a year. Those who just undertake airport transfers, it is very unlikely that they would see anyone from the Licensing Department, even when we conducted taxi inspections with the DVSA, we did not contact all the one-man bands operators.

When we undertake further operations in future, we need to ensure one-man band operators, particularly those that just focus on airport transfers, are fully included and are working in accordance with their licence and that they have adequate support from Licensing.

- 5.2 Consideration should be given to an adjustment in the licensing conditions for one-man band operators, as some of the current conditions particularly those relating to staff training and an equality policy, doesn't relate specifically to those who are sole operators but rather an expectation of larger operators who employ numerous staff.

6.0 Conclusions

- 6.1 Licensing Officers concluded that this had been a worthwhile exercise and demonstrated a high level of compliance with records of bookings and driver and vehicle logs.

- 6.2 Staff training with sole operators proved difficult to quantify when they do not actually employ staff with the reality being in most cases it was just the individual being interviewed that was responsible for their business and any knowledge gained other than by experience was through Council bulletins and news items seen in the National Private Hire Association monthly newsletter.
- 6.3 It is the intention of Licensing Officers to conduct compliance checks within 3 months of a new private hire operator licence being awarded and for those who are in possession of a licence for a five year period then these will be subjected to 3 checks within the duration of their licence.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None</p>	
<p>FINANCIAL IMPLICATIONS Financial Services have been consulted and there are no financial implications.</p>	
<p>LEGAL IMPLICATIONS Any person aggrieved by a condition attached to a licence has the right of appeal to the Magistrates Court.</p>	
<p>BACKGROUND PAPERS None</p>	<p>Contact Officer: Mr David Eglin Telephone: 01524 582033 E-mail: deglin@lancaster.gov.uk Ref: DWE/PHO Checks</p>