

REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT & REGULATORY SERVICES MANAGER

TO: TAXI LICENSING COMMITTEE

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Taxi Safety and Measures to Improve Public Safety

1. To outline the issues and to agree measures following consultation with the trade and members of the public.
2. To ensure taxis are safe for members of the public to travel in.

RECOMMENDATION

That the Policy and Resources Committee be recommended to approve the changes to the taxi policy as outlined in the report.

REASON FOR RECOMMENDATION

The mechanical condition of taxis is significantly deficient and measures are needed to improve public safety.

ISSUES

1. The level of failure on spot checks has been high for several years. Discussions with the trade have resulted in changes to the licensing requirements for vehicles with a view to the changes leading to better mechanical safety standards for vehicles. Recent taxi tests show that standards have not improved with the last test being the worst that we have ever conducted with 93% of vehicles failing.
2. Following a meeting of the Taxi Licensing Committee on 15 November 2022 it was recommended to set up a task and finish group of Councillors to consider the policies of the Council necessary to improve the significant failure rates of taxi in order to bring the standard of safety for the public to an acceptable level and for any recommendations to be taken to consultation.
3. The purpose of the changes are solely to make the trade safer for passengers and drivers. This means ensuring that both operators and drivers take a role in doing that with operators

putting measures in place and giving a clear message to drivers that they have to improve and keep standards high.

4. Any operator or driver who operates in a safe and conscientious manner will not be affected by these proposals as they are only targeting those in the trade that operate unsafe vehicles.
5. To do this the measures that need to happen must mean something to the trade. The consequences for those who are persistent in presenting an unsafe vehicle, or for operating unsafe vehicles, will be that they will not be deemed fit and proper people to hold a licence. The proposed measures below are aimed at ensuring operators' vehicles pass more tests than they fail. A failure rate of 50% or more, over a one year period, would result in an operator having their licence revoked.
6. For drivers they would be responsible for ensuring that they do not exceed a points tally for mechanical failures. These would be for matters that they could readily identify on a normal vehicle checks such as bald tyres or not having all wheelnuts in place.
7. The proposed points system would also involve a driver having to be able to show that they have completed a vehicle check, for the vehicle they are driving that day. That would be an on the spot inspection and not to be produced later.
8. The requirement to attend a garage when a member of the taxi team request a driver or operator to take a vehicle to be tested has seen cars taken away and for example tyres changed. That is an act of dishonesty and the policy suggested is that anyone found doing so would have their licence revoked for being dishonest and hence not a fit and proper person to hold a licence.
9. The failure of a test to trigger the 50% failure rate for operators needs to be based on a set of parameters for what constitutes a failure. Attached at Appendix 1 is a list of items that any failure at a spot check should be based on.
10. The failure of a test to trigger the points system for drivers would be any item that they should have found and recorded following their daily check.
11. The task and finish group met on 12 December 2022 and recommended policy changes to be take out to consultation. As well as the following trigger points it was agreed that the daily checks should be recorded on an app. and for all licensed vehicles to have 3 taxi tests a year, one of those to include an MOT.
12. The app. for vehicle checks will be for each vehicle and costs £1 per week. A demonstration of the app will be given at the meeting.

Trigger	Sanction
Failure of 50% of tested vehicles of an operator over a 1 year period.	Operator to have their licence revoked.
8 points to be issued for a driver of any vehicle that fails a spot check.	A driver that exceeds 15 points will come before Committee to have their licence reviewed.
8 penalty points for any driver failing to have a record on the app. to confirm that before the journey started they had checked the condition of their vehicle. The vehicle must comply with what is recorded on the app.	A driver that exceeds 15 points will come before Committee to have their licence reviewed.

Lying/being untruthful on the vehicle check record.	Driver to have their licence revoked for dishonesty.
Failure to immediately attend a spot check.	Driver to have their licence revoked for dishonesty.
A vehicle fails two spot checks.	The licence for that vehicle is permanently revoked and that vehicle cannot be licensed again in Pendle.

CONSULTATION

13. The consultation commenced on 23 January 2023 and details of the proposals were sent to our private hire operators and drivers and through social media for members of the public to respond.
14. This resulted in forty eight paper and thirty seven online responses being received from the taxi trade and 180 online responses received from members of the public. The responses have been summarised and attached as Appendix 2.
15. Of the thirty seven online responses from the trade, 24% agreed with all the changes and 76% did not. All of the forty eight paper responses were not in favour.
16. Of the public, which were all online responses, 86% agreed with all the changes and 24% did not. The responses have been summarised and attached as Appendix 3.
17. Points raised from the responses will be discussed further at the meeting.

CONCLUSION

18. Whilst the majority of the trade are not in favour of the proposed policy changes they have not proposed other ways in which the Council can get them to improve the safety of their vehicles. Therefore, the recommendation is that all the proposed policy changes are brought in.
19. The public perception is that they don't feel safe travelling in our licensed vehicles and this must be reversed and the only way to do this is to have a robust policy with sanctions for licence holders who are not willing to look after their vehicles.

IMPLICATIONS

Policy:

The taxi licensing policy adopted on 1 April 2022, will need to be updated to reflect any agreed changes.

Financial:

The additional cost for an MOT certificate and additional test is paid direct to our appointed garages by the vehicle proprietor.

Legal:

There are no legal requirement implications arising directly from this report.

Risk Management:

There are no risk management implications arising directly from this report

Health and Safety:

There are no health and safety implications arising directly from this report

Sustainability:

There are no sustainability implications arising directly from this report

Community Safety:

There are no community safety implications arising directly from this report

Equality and Diversity:

There are no equality and diversity implications arising directly from this report