

April 2007

Issue 1

TRADING STANDARDS

Licensing Section

CAB NEWS

Hello and welcome to the first edition of CAB NEWS. It was decided at a recent Licensing Committee to produce a newsletter for the trade that is aimed to keep you up to date

with, for example; changes in fees, conditions and prosecutions and any other newsworthy items. It is aimed that the newsletter will be produced twice a year.

If any member of the trade has

any relevant/useful suggestions for the future editions of Cab News then please contact the Licensing Section on 01495 355059.

THE LICENSING TEAM

There have been several changes to the team that we would like to inform you of. Helen Jones – Team Leader went on maternity leave in November 2006 and Enforcement Officer, Sarah Burchell is covering the post until she returns at the end of May 2007. Enforcement Officer, Stephen Hillier left the Authority on the 31st December 2006.

Zoë Hayden, Licensing Officer left the team in September 2006 and has been replaced by Amy Gould. We

wish to welcome two new Enforcement Officers to the Team. Huw Fairclough and Lyn Jones who has joined the team on a temporary basis.

OFFICE HOURS

Service times are 9am to 5pm Monday to Friday. There is no guarantee that a member of staff will be available to assist you outside of these hours. We have designated Tuesday and Thursday for taxi related appointments such as new/renewal drivers/vehicle

Licences. However, prior appointments may be arranged if you are only available outside these hours. If you have any queries or comments regarding your Hackney or Private Hire Licences you can contact the Licensing Team on 01495 355059.

LICENSING SECTION CONTACT DETAILS

PERSONAL VISITS &
CORRESPONDANCE

Brynmawr District Offices,
Beaufort Street,
Brynmawr NP23 4AG

(Please ring first to make an appointment)

PHONE

01495 355059

9.00am to 5.00pm (Mon – Fri)

FAX

01495 355245

E-MAIL

Licensing@blaenau-gwent.gov.uk

INTERNET

www.blaenau-gwent.gov.uk

PROSECUTIONS

Many of you will be aware that Sarah Burchell and Stephen Hillier joined the Licensing team as Licensing Enforcement Officers in May/June 2006.

They have been instrumental in dealing with breaches of Licensing Laws, and have been responsible for bringing prosecutions in respect of Hackney Carriage and Private Hire offences, including "Ghost" operators. In addition, the team are prosecuting vehicle insurance matters, as the use of unlicensed drivers and vehicles usually nullifies any insurance.

PROSECUTIONS TO DATE

The following persons were found guilty of operating a Hackney Carriage Vehicle without a Hackney Carriage Drivers Licence.

Brian Jones of Nantyglo, Catherine Carter of Blaina, Marvin Rue of Ebbw Vale, Melissa Powell of Abertillery and Stephen McDonald of Nantyglo and Philip Wyatt of Abertillery. Phillip Wyatt was also charged and fined for the offence of using an unlicensed hackney Carriage Vehicle.

Andrew Mumford of Tredegar, was charged and fined for the offence of failing to return to the Authority his Hackney Carriage Drivers Licence after the decision was made by the Licensing Committee to revoke his Licence.

Paula Blanchard of Tredegar, Jeanette Havard of Nantyglo, Susan McDonald of Nantyglo and

David Roughton of Abertillery were all found guilty of employing unlicensed Hackney Carriage Drivers. They, along with Catherine Carter and Stephen McDonald, had their DVLA drivers Licences endorsed with penalty points for insurance reasons.

Robert Price of Rassau, Ebbw Vale was found guilty of operating a 8 seater minibus without a Private Hire Vehicle Licence and Private Hire Vehicle Operators Licence.

Matthew Harley who trades as Elite Travel of Tredegar was found guilty of employing an unlicensed private hire driver and operating a private hire vehicle without a private hire operators licence. His DVLA licence was also endorsed with penalty points for insurance reasons.

As a result of a successful test purchase operation carried out by trading standards and licensing staff, Halwyn Jenkins of Tredegar was caught operating a 'ghost taxi'. He was found guilty of driving an unlicensed private hire vehicle without a private hire vehicles drivers and private hire operators licence. He was also disqualified from driving for 6 months for not having appropriate insurance.

It must, however be emphasised that honest, dedicated operators have nothing to fear from the Enforcement efforts, and that advice should be sought from the team.

If anyone has any information regarding illegal drivers or illegal vehicles then please contact the Licensing Team. It would be helpful if you could provide as much information as possible.

E.g.

Vehicle - Reg. No, colour, make, model, were business cards given, any markings on vehicle, where it was seen, contact telephone number if available.

Driver - Description – age, build, hair colour, distinguishing features, glasses, facial hair, accent, name/nickname, description of clothing.

A word of advice:-

Before engaging anyone to drive, make sure they have the appropriate licence but if in doubt give us a ring. Don't take a chance, and risk a fine or having your licence suspended or revoked.

LEGISLATION UPDATE

Changes to Taxi and Private Hire Vehicle Legislation under Road Safety Act 2006

IMMEDIATE SUSPENSION AND REVOCATION OF DRIVERS LICENCE.

At present, a taxi or Private Hire Vehicle (PHV) driver can continue to work as such whilst appealing to the magistrates court against a decision made by the Licensing Authority to suspend or revoke his/her drivers licence.

Section 52 of The Road Safety Act now gives Licensing Authorities the power to suspend or revoke a taxi or PHV drivers licence with immediate effect where they are of the opinion that the interests of public safety require such a course of action. If a drivers licence is suspended or revoked with immediate effect the driver may no longer drive a taxi or PHV from the time when he is given notice of the suspension or revocation.

This section came into effect on the 16th March 2007. This means that Licensing Authorities can only start to use the power in relation to decisions to suspend or revoke which are made on or after 16th March 2007.

ABOLITION OF 'CONTRACT EXEMPTION'

Currently, in England and Wales a vehicle is exempt from



the requirement to be licensed as a Private Hire Vehicle (PHV) if it is used for contracts lasting not less than seven days. This is commonly known as "The contract exemption". Neither the driver of the vehicle nor the operator who arranges hiring's need to be licensed. It was decided that this exemption posed a significant safety risk and should be repealed. Section 53 of The Road Safety Act repeals the contract exemption and it will come into effect in January 2008.

From the date of commencement, unless otherwise exempted, vehicles which fall within the definition of "Private Hire Vehicles" will have to be licensed regardless of whether they are used for one-off hiring or hired on a 'longer-term' contract basis.

FEES EFFECTIVE FROM 1ST MAY 2006

Hackney Carriage Driver	£40.00	New / Renewal
Hackney Carriage Vehicle	£175.00	New
	£150.00	Renewal
Private Hire Driver	£40.00	New / Renewal
Private Hire Vehicle	£175.00	New
	£150.00	Renewal
Private Hire operator	£80.00	
Criminal Records Bureau	£36.00	
Replacement Vehicle Licence Plate	£4.00	
Replacement Licence & Driver Badge	£2.50	
Replacement Vehicle Stickers	£3.00	

TASK & FINISH GROUP



Following requests from both the Licensing Committee and the taxi trade, it was agreed that a Task and Finish Group be set up consisting of Licensing Committee members, Licensing Officers and taxi representatives to review current licence

conditions and improve standards.

A number of areas for change were identified at the first meeting of the group on 15th May 2006 covering issues such as dress codes, enhanced driving tests and colour coding of vehicles, amongst other things, and it was agreed that a questionnaire be sent out to all taxi drivers, vehicle owners and operators to gauge their views.

Approximately 250

questionnaires were sent out but only 40 replies were received. The information was then collated and presented to the Task and Finish Group on 7th August 2006 and, as a result, the following decisions were made:-

- ◆ A dress code for taxi drivers is to be introduced*
- ◆ The DSA test **will not** be introduced but drivers may undertake the test on a voluntary basis*
- ◆ A colour code for vehicles **will not** be introduced, however, all hackney carriages will be expected to have a roof light fitted*
- ◆ A code of conduct for taxi drivers will be introduced*
- ◆ Taxi rank signage will be improved following an earlier decision of the Licensing Committee*

* commencement date to be decided

It was also agreed that the hackney carriage fare tariff be monitored and reviewed by officers on an annual basis. The current tariff came into force in November 2004 and the trade have recently been asked for their views on an increase but, to date, no suggestions have been put forward.

Therefore, there will be no change to the fares at the



moment.

The Licensing Team will now look at the current conditions in conjunction with the agreed changes with a view to implement the new conditions within the next six months.