

# Trade Times

Brought to you by Cheltenham Borough Council Licensing

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## Licensing Service Transformation



Also in this issue...

Raceweek 2017

Tour of Britain  
2017

Training  
Reminder

Policy review  
update



## Licensing Service Transformation Work

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In July 2016, Cheltenham Borough Council launched a programme to transform its Place & Economic Development group into a more commercially focussed service provider. The group delivers the council's regulatory and environmental services that include licensing.

The vehicle to deliver this change initiative is the 'Place & Economic Development Commercial Transformation' programme. The programme will deliver a portfolio of change and service improvement projects to attain its vision:

To transform Cheltenham Borough Council into a commercially focussed, cost effective and resilient organisation that strives to deliver an excellent customer experience that supports the delivery of Cheltenham's Place Strategy.

The licensing service sits under the Place and Economic Development Division and we have been heavily involved in the service transformation work.

### **What does this mean for you?**

#### **Less paper**

A large part of the service transformation work has focussed on moving the licensing service away from paper based systems.

We have implemented electronic renewal forms now which means that you will be getting your renewal reminders by email from now on. For that reason all drivers will need to supply the council with an email address.

We are also looking to introduce a policy to make it a mandatory requirement for all licensed drivers to use the DBS's Update Service to eliminate the need for paper forms. This will be subject to consultation in the near future.

#### **Licensing online**

The licensing service has successfully bid for Government funding to invest in an online licensing self-service solution that will allow applicants and licence holders to apply and renew their licences online from anywhere with an internet connection.

#### **Agile working**

The Licensing service is part of an agile working project that will see licensing officers doing more work from locations that are not based in the Municipal Offices such as home working or hot desking.

For the time being open sessions will remain unchanged but as we move towards less paper based systems we will also be looking to reduce the number and frequency of open sessions. Phone contact is also likely to change but we have no further information on this at this stage.



# Raceweek 2017

The 2017 Festival is now firmly behind us.

The total number in attendance for the four day event was in excess of 260,000 with record numbers on the Wednesday and Thursday. With the racing event growing each year, there has been a concerted effort by the council, the police and the racecourse to proactively manage the event.

Numbers of visitors who used the Promenade rank that week:

Tuesday	1233
Wednesday	1411
Thursday	2107
Friday	3230
Saturday	151
Sunday	304

As in previous years, CBC council officers, with support from licensing enforcement officers from Gloucester City and Tewkesbury Borough Councils, targeted unlicensed taxi drivers who came to Cheltenham to illegally ply their trade. A total of 15 individual drivers were reported for the offence which is the highest number of any race meeting in Cheltenham to date.

Officers are currently working through the list of drivers caught illegally plying for hire and gathering the evidence required to take whatever formal enforcement action is necessary based on the individual circumstances of the case.

Although the council has consistently increased its effectiveness in catching people illegally plying for hire year on year, we are aware that there are still gaps in our ability to cover the whole event. As a conse-

quence the council will be putting in more officer resource for the 2018 Festival focussing purely on taxi enforcement.

Once we have more details of this, we will make contact with the trade.

## From April 24 2017

### Band C speeding fine

A Band C speeding fine means that anyone speeding at 51mph or above in a 30mph limit - for example - faces a fine equivalent to 150% of their weekly income, and 6 penalty points on their driving licence, or disqualification from driving for up to 56 days.

### Band B speeding fine

You might receive a Band B speeding fine for doing between 41-50mph, in which case you'd face a fine equivalent to 100% of your weekly income, and 4 penalty points on your driving licence, or disqualification from driving for up to 28 days.

### Band A speeding fine

A Band A speeding fine would be appropriate if you are caught speeding between 31-40 in a 30mph zone, and you can expect to receive a fine equivalent to 50% of your weekly income, and 3 penalty points on your driving licence.

## Witness Statements

The council relies on formal witness statements when considering whether to prosecute someone for a licensing offence.

Formal witness statements are a legal requirement when submitting evidence to court.

In March, a lot of drivers reported alleged offences to officers that were recorded for action.

Since the race meeting, officers have been following up on the reports to investigate the alleged offences which included gathering the evidence such as formal statements.

Unfortunately, many of the Cheltenham licensed drivers who reported alleged offences to the council were subsequently not willing to make a formal statement to support the case for enforcement.

The consequence is that in most cases - where the evidence relied on a witness statement - were dropped because the council could not comply with evidential requirements.

It is therefore important that drivers who report illegal activity be also prepared to provide a statement to the council.



## Policy Review in 2017 - Update

In the last Trade Times, we wrote about the taxi and private hire licensing policy review being undertaken this year.

Since then, there have been a number of working group meetings. The working group consisted of representatives from both the taxi and private hire trade.

At the moment, officers are looking at what changes to the policy will be proposed for consultation. This will include the issues raised in the working groups but also taking into account the updates (since the last policy review) in national best practice, national guidance and local council priorities.

Some of the higher level issues being looked at for the new policy include:

- Emissions policy
- Vehicle testing arrangements
- Changes to driver fitness assessments
- Vehicle standards and specifications
- Convictions policy
- Possible introduction of a penalty points scheme

After this work has been done, the

draft policy will be taken to the council's Cabinet for approval to consult on.

We anticipate that a consultation will be launched in August or September for 12 weeks.

### Taxi Marshals

Some Hackney Carriage drivers working off the Promenade rank have reported back to the council on the poor performance of the company that is currently contracted to supply taxi marshals to marshal the rank.

Officers have looked into this and following the investigation, the company that is currently contracted to provide this service has been served with a contract termination notice.

The contract has been re-advertised and we anticipate that a new company will be selected by the end of July and will be in place by the middle of August.

### Remember!

#### Weekly open sessions

Mondays: 10am - 1pm

Wednesdays: 1pm - 4pm

Fridays: 10am - 1pm

#### Report it!

You have to tell the council when:

- You change your address
- Your vehicle has sustained damage
- You receive points on your driving licence
- You are convicted, charged or cautioned for an offence
- You sell your licensed vehicle
- There is a change in your medical fitness

#### Lost property

Drivers should at the end of each journey inspect their vehicles to ensure that no property has been left behind by passengers. If a passenger has left anything behind in a licensed vehicle, the property must be taken to the Hester's Way police station.

#### Renew your licence on time

The council will as a matter of courtesy send reminder emails to licence holders to remind them to renew their licences on time. It is however the individual's own responsibility to ensure renewal applications are submitted on time.

#### Replacing your licensed vehicle

If you are planning to replace your licensed vehicle or license a vehicle for the first time, you must in the first instance call the licensing section to check whether the vehicle complies with the council's policy and fitness requirements. Never buy a vehicle without checking with the licensing team .

A banner for the Tour of Britain (Stage 7) featuring a group of cyclists on a road. The background is a blurred image of a cycling race on a road. A semi-transparent white box is overlaid on the center, containing text. The text is in a clean, sans-serif font. The title 'Tour of Britain (Stage 7)' is in a larger, bold font at the top of the white box. The main text is in a smaller font, with some lines in bold. The overall color scheme is green and white, matching the cyclists' gear.

## Tour of Britain (Stage 7)

As you may already be aware Cheltenham will be hosting the penultimate stage of the Tour of Britain on Saturday 9th September.

We are aware that this will affect access to some taxi ranks.

Whilst we know that the agreed race route through the town will need to be clear of traffic at various times during the day, we are still working on the detailed event traffic management plans including timings including alternative taxi rank locations.

Once these are finalised, information will be sent to the trade.

A close-up photograph of several colorful highlighters (blue, red, orange, green, yellow) lying on a piece of paper. The paper has the word 'Training' written in large, bold, black letters. Other words like 'skills', 'Information', 'employees', 'knowledge', and 'adv' are visible in smaller text. The background is a light, textured surface.

## How to Book

The capacity for each session is 30. We will therefore book people on a first-come-first-served basis.

To book, please email the licensing section ([licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk)) or call us on 01242 775200 with:

- your full name;
- licence badge number (i.e. PHD000 or HCD000);
- an email address; and
- your preferred date and time.

We need an email address to send information and booking confirmation.

### On the day

You will need to bring your driver's licence photo badge with you.

You will receive course material on the day that you can take away.

### Cancellation

If you have booked on but have to cancel your booking, you must do so in writing by sending us an email no later than 72 hours in advance.

There is a cost attached to the training and the council will consider charging drivers that persistently cancel their booking without valid reasons.

### Reminder: Safeguarding training

The majority of licensed drivers have attended the mandatory safeguarding training sessions which the council has been running since January. The training is being delivered jointly by Gloucestershire Constabulary and the Gloucestershire Children's Safeguarding Board.

**If you haven't attended yet please book one of the last remaining spaces as soon as possible.** The Council has made it a mandatory requirement for **ALL** Cheltenham licensed drivers to do the training. At present the training is provided free of charge but if you don't do it now, any future training sessions may involve an attendance fee or you may have to travel to somewhere else to attend.



## PHVs parking on Taxi ranks

All off street parking enforcement in Cheltenham is the responsibility of Gloucestershire County Council.

Cheltenham Borough Council has no formal powers to enforce any on-street parking contraventions.

Although Cheltenham council cannot formally take action regarding parking contraventions, as licensing authority it does have powers to deal with private hire vehicles that park on designated taxi ranks.

It is irrelevant for what purpose private hire drivers park on a taxi rank because the law expressly prohibits private hire vehicles from parking on taxi ranks.

The council will take appropriate action where there is evidence of private hire vehicles parking on taxi ranks.

Report it to [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk).

Earlier this year new penalties were introduced for drivers caught using hand-held devices whilst in control of a motor vehicle.

## Hand held and mobile devices

The relevant regulations describe a hand-held device as any device which performs an interactive communication function by transmitting and receiving data, other than a two-way radio using specific frequencies.

Whilst the position on two-way radio equipment is clear, the law is less clear on the use of PDAs because they tend to not be “hand-held” devices although they still “perform an interactive communication function by transmitting and receiving data”.

As a consequence, the enforcement - by the police - of the use of PDAs whilst in control of a motor vehicle will probably come down to the individual circumstances of the case which may result on some cases falling foul of the regulations and others not.

Whilst the position is not 100% clear on PDAs, the overriding principle to apply would be whether the driver of a vehicle - including a licensed taxi or private hire vehicle - was fully in control of their vehicle at the time.

Notwithstanding the fact that the PDA would have been cradled, if the police officer deems the driver to not have been in full control of their vehicle, they will be penalised.

For offences committed on or after 1 March 2017, penalties for using a hand-held mobile phone or device whilst driving have increased from three to six penalty points and from £100 to £200 when the driver is issued with a fixed penalty notice.

In the event that the matter comes before a court, a discretionary disqualification can also be imposed.

The council expects the highest standards of safe driving from its licensed drivers. Event though PDAs may not strictly fall within the scope of the legislation, it is nonetheless important that drivers take extra caution when using these devices.