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13 February 2012

## **S U M M O N S**

**MEETING:** Licensing Board  
**DATE:** 21 February 2012  
**TIME:** 6.00pm  
**PLACE:** Council Chamber, Town Hall, Gosport  
**Democratic Services contact:** Lisa Young

LINDA EDWARDS  
BOROUGH SOLICITOR

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### **MEMBERS OF THE BOARD**

The Mayor (Councillor Carter CR) (ex officio)  
Chairman of P & O Board (Councillor Hook) (ex officio)

Councillor Beavis (Chairman)  
Councillor Murphy (Vice Chairman)

Councillor Allen	Councillor Edwards
Councillor Ms Ballard	Councillor Foster-Reed
Councillor Bradley	Councillor Jacobs
Councillor Carter C K	Councillor Scard
Councillor Mrs Cully	Councillor Miss West

### **FIRE PRECAUTIONS**

(To be read from the Chair if members of the public are present)

**In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, following any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.**

**IMPORTANT NOTICE:**

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

**NOTE:**

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

RECOMMENDED  
MINUTE  
FORMAT

**PART A ITEMS**

1. APOLOGIES FOR NON-ATTENDANCE
2. DECLARATIONS OF INTEREST

*All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.*

3. MINUTES OF THE MEETING OF THE BOARD HELD ON 10 JANUARY 2012 [copy herewith].
4. DEPUTATIONS – STANDING ORDER 3.5

*(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Friday 17 February 2012. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).*

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

*(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday 17 February 2012).*

6. APPLICATION FOR FIRST RENEWAL OF A SIX MONTH STREET TRADING CONSENT IN GOSPORT HIGH STREET.

Contact Officer:  
Russell Bray  
Ext: 5553

*The purpose of this report is to request the Licensing Board to determine an application to renew a six month Street Trading Consent to allow for the sale of ice creams and frozen confectionary in Gosport High Street.*

7. DRIVER AND VEHICLE LICENSING AGENCY (DVLA)  
DRIVER RECORD CHECKING FOR HACKNEY CARRIAGE  
DRIVERS, DUAL DRIVERS, AND PRIVATE HIRE DRIVERS.

Contact Officer:  
Russell Bray  
Ext: 5553

*To introduce Driver and Vehicle Licensing Agency (DVLA) Driver Record checks for all Hackney Carriage Drivers, Dual Drivers and Private Hire Drivers on annual renewal applications and for new applications.*

Licensing Board  
21 February 2012

8. GOSPORT BOROUGH COUNCIL ACCREDITATION OF THE  
BLUE LAMP TRUST TAXI DRIVER ASSESSMENT

Contact Officer:  
Russell Bray  
Ext: 5553

*To accredit the Blue Lamp Trust Taxi Driver Assessment as an  
acceptable proof of driver competence for Gosport Borough  
Council Hackney Carriage and Private Hire Drivers*

9. ANY OTHER BUSINESS

## AGENDA ITEM NO. 6

<b>Board/Committee:</b>	Licensing Board
<b>Date of Meeting:</b>	Tuesday 21 <sup>st</sup> February 2012
<b>Title:</b>	Application for first renewal of a six month Street Trading Consent in Gosport High Street.
<b>Author:</b>	COMMUNITY AND CUSTOMER SERVICES MANAGER
<b>Status:</b>	FOR DECISION

### **Purpose**

The purpose of this report is to request the Licensing Board to determine an application to renew a six month Street Trading Consent to allow for the sale of ice creams and frozen confectionary in Gosport High Street.

### **Recommendation**

That the Licensing Board determine whether the application for a six month Street Trading consent should be granted

#### **1 Background**

- 1.1 The Local Government (Miscellaneous Provisions) Act 1982 makes provision for Local Authorities, having adopted the Act, to designate consent streets for the purposes of street trading.
- 1.2 Following the necessary statutory notice procedure the Council resolved, on 2 September 1998, that under the Local Government (Miscellaneous Provisions) Act 1982, all streets in the Borough of Gosport (including all forecourts, roads, footways or other areas adjacent to such streets for a distance of 100 metres) would be designated as Consent Streets for the purpose of street trading as from 5 October 1998. The effect of the designation was that street trading would be prohibited without the consent of the Council.
- 1.3 In January 2000, following a report to the Health and Leisure Committee, this Council adopted a policy on street trading to be applied throughout the Borough. The policy permitted the granting of Street Trading Consents, provided they were in compliance with that policy. This report and the adopted policy are attached as **Appendix A**. The policy adopted at that time permitted the imposition of relevant conditions to applications. These are considered in more detail in paragraph 2.8 with reference to this application.
- 1.4 In recent years Mr Christopher Goulding has been operating his Ice Cream Van in the High Street at the eastern end of the High Street on the Gosport Saturday Market. He operates mainly during the summer months by paying a Saturday Market pitch fee.
- 1.5 On Tuesday 5<sup>th</sup> April 2011 the Licensing Board considered and approved Mr. Christopher Goulding's application for a six month Street Trading

Consent for Gosport High Street to trade as “Georgia’s Ices”. Approval was given to operate one vehicle being either a traditional Ice-Cream Van or an approved Ice -Cream Trailer in Gosport High Street for the provision of ice cream and frozen confectionary. The Licensing Board granted permission to trade five days a week avoiding the Market Days from 12:00 hours to 18:00 hours each day. The Minutes of the Licensing Board are attached as **Appendix B**.

- 1.6 The Licensing Board granted the application for a six month Street Trading Consent and directed that the first application for the renewal of the six month Street Trading Consent will be determined by the Licensing Board.

## **2 Report**

- 2.1 The Licensing Board determined on 5<sup>th</sup> April 2011 that the application for the renewal of the six month Street Trading Consent for his Ice Cream sales operation is outside Burtons Menswear in the High Street pedestrian precinct Gosport High Street would be considered by the Licensing Board.
- 2.2 Mr Goulding has now submitted his application for the first renewal of a Six Month Street Trading Consent for his Ice Cream sales operation outside Burtons Menswear in the High Street pedestrian precinct. See **Appendix C** and **Appendix D**
- 2.3 During the period Mr Goulding has been operating the under the granted six month Street Trading Consent in the High Street providing ice cream and frozen confectionary no complaints have been received by Licensing Officers or Environmental Health Officers.
- 2.4 Mr Goulding will pay the £530 application fee for a six month Street Trading Consent to commence 1 April 2012 when the Licensing Board’s decision is communicated to him. Mr Goulding holds £5 Million Public Liability insurance through his membership of the National Market Traders Federation.

## **3 Risk Assessment**

- 3.1 No additional risks have been identified with this application

## **4 Conclusion**

- 4.1 Following the designation of the whole of Gosport as a “street trading consent zone” from 5 October 1988, it is requirement for any person wishing to trade on or adjacent to the highway to obtain a street trading consent.
- 4.4 The Street Trading Policy states that no new street trading consents (except by way of renewal of existing consents) will be granted to individual traders in respect if Gosport High Street on market days
- 4.3 Mr Goulding was granted an initial six month street trading consent to operate on five days of the week from 12:00 to 18:00 hours and avoids the two Gosport Market days.

<b>Financial Services comments:</b>	None
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<b>Legal Services comments:</b>	The Board in determining the application must have regard to the Council's Street Trading Policy and give reasons for reaching its decision. A person aggrieved by the refusal of an application for the grant of a Street Trading Consent does not have a statutory right of appeal but may bring a judicial review if the decision is unlawful or irrational.
<b>Service Improvement Plan implications:</b>	This application process meets the Strategic Priorities based on the themes of People, Prosperity, and the Pursuit of Excellence.
<b>Corporate Plan:</b>	
<b>Risk Assessment:</b>	No additional risks have been identified
<b>Background papers:</b>	Minutes of Licensing Board Meeting 5 April 2011 (Item 74) See Appendix B.
<b>Appendices/Enclosures:</b>	
Appendix 'A'	Health and Leisure Committee Report and Policy Document.
Appendix 'B'	Minutes of Licensing Board 5 April 2011
Appendix 'C'	Street Trading Application from Mr Goulding.
Appendix 'D'	Site of Trading Location in the High Street
<b>Report author/ Lead Officer:</b>	Russell Bray, Senior Licensing Officer, ext. 5553

## **APPENDIX A - HEALTH AND LEISURE COMMITTEE REPORT AND POLICY DOCUMENT.**

### **APPENDIX A**

**AGENDA NO.**

#### **GOSPORT BOROUGH COUNCIL**

#### **COMMITTEE REPORT**

TO THE MEETING OF: THE HEALTH & LEISURE COMMITTEE  
ON: MONDAY, 10<sup>th</sup> JANUARY, 2000 REF:  
DJB/BMT  
REPORT OF: LEISURE & HEALTH SERVICES MANAGER  
TITLE: STREET TRADING POLICY

#### **1. PURPOSE OF REPORT**

- 1.1 For the Committee to consider a draft Street Trading Policy.

#### **2. INFORMATION**

- 2.1 The Committee will recall considering a report at their meeting on 1<sup>st</sup> November 1999 on proposals for a street trading policy.
- 2.2 A draft street trading policy has therefore been produced and is attached as Appendix 1, together with a set of draft standard conditions, which are attached as Appendix 2.

#### **3. FINANCIAL IMPLICATIONS**

- 3.1 The Council may charge such fees as they consider reasonable for the grant or renewal of street trading consents. Different fees may be charged according to the duration of the consent, to the street in which trading takes place and the nature of articles sold.
- 3.2 Currently different fees are charged in respect of the existing street trading consents for Gosport High Street. It is suggested that the basis for charging these fees continue.
- 3.3 As regards any new consents, it is suggested that an annual fee of £700 be charged for food traders and £500 for non food traders, reduced by £200 in each case where trading is for a seasonal period of less than 6 months or where trading is for less than 5 days per week..



## APPENDIX A (Cont) - HEALTH AND LEISURE COMMITTEE REPORT AND POLICY DOCUMENT.

### 4. RECOMMENDATIONS

- 4.1 That the draft Street Trading Policy and Standard Conditions for Street Trading Consents be approved.
- 4.2 That (with the exception of existing consents) the annual fee for street trading consents be £700 for food traders and £500 for non food traders, reduced by £200 in each case where trading is for a seasonal period of less than 6 months or where trading is for less than 5 days per week.

#### ***Background Papers:***

Report to Health & Leisure Committee, 1<sup>st</sup> November 1999  
"Proposed Street Trading Policy".

## **APPENDIX A (Cont) - HEALTH AND LEISURE COMMITTEE REPORT AND POLICY DOCUMENT.**

### **STREET TRADING POLICY**

1. That where appropriate, street traders be encouraged to obtain and occupy retail premises in the Borough, or to trade within the street market held in Gosport High Street
2. That additional street trading consent will not be required where the Council has already given its consent by way of a licence, lease or agreement as regards any trading concessions.
3. That where consent has been given to hold a street market, additional street trading consents will not required for individual traders.
4. That no new street trading consents (except by way of renewal of existing consents) will be given to individual traders in respect of Gosport High Street on Market days.
5. Street trading consents will not be required for fairs, fetes and similar events.
6. Street trading consents will only be issued where it can be shown that trader will be providing a service that is of benefit to the public and is compatible with the character of the area.
7. Street trading consents will not be issued where there is concern in regarding direct competition with existing nearby retail premises.
8. The number of street trading consents issued for any one street will be limited in order to avoid any undue concentration.
9. Street trading consents will not be issued where there are concerns regarding problems of highway safety, obstruction to users of the highway or conflict with the requirements of emergency vehicles.
10. Street trading consents will not be issued where there are concerns regarding problems of noise, smell or late night disturbance, especially in residential streets.
11. The issuing of a street trading consent is subject to the prior inspection and approval of any stall, vehicle and associated equipment.
12. Street trading consents will not be issued for the sale of cars.
13. Street trading is prohibited in Ann's Hill Road between Leesland Road and Carnarvon Road. Street trading will be prohibited along the length of the A32 from Hoeford to Fort Brockhurst.

## **APPENDIX B - MINUTES OF BOARD 5 April 2011**

### **A MEETING OF THE LICENSING BOARD**

**WAS HELD ON 5 APRIL 2011**

The Mayor (Councillor Allen) (ex-officio), Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio), Councillors Beavis (P), Bradley (P), Carter CK (P), Carter CR (P), Chegwyn (P), Mrs Cully (P), Foster-Reed (P), Jacobs (P), Murphy (P) and Scard (P).

#### **69. APOLOGIES**

An apology for inability to attend the meeting was submitted on behalf of Mayor.

#### **70.**

### **DECLARATIONS OF INTEREST**

There were none.

#### **71. MINUTES**

RESOLVED: That the Minutes of the meeting of the Licensing Board held on 22 February 2011 be approved and signed by the Chairman as a true and correct record.

#### **72. DEPUTATIONS**

There were no deputations.

#### **73. PUBLIC QUESTIONS**

There were no public questions.

#### **74. APPLICATION FOR STREET TRADING CONSENT FOR GOSPORT HIGH STREET**

Consideration was given to a report of the Environmental Services Manager requesting the determination of an application for a Street Trading Consent to allow for the provision of ice creams and frozen confectionary from an ice cream van in the Gosport High Street on non-market days.

Members acknowledged that Mr Golding had applied for street trading consent previously and were advised that the only amendment to the application was the proposed location of the trailer or van.

The Board noted that an observation had been received from Hampshire Constabulary requesting a reassurance that, should the consent be granted, Mr Golding should ensure that both his vehicle for the provision of ice cream and his vehicle for the provision of hot potatoes be removed from the high

street daily, upon the conclusion of trading.

Mr Golding confirmed that this would be the case. In addition Mr Golding clarified that the application covered the use of either the ice cream van, or the trailer and that he would not use both at the same time. This was to allow flexibility in the staff Mr Golding employed.

Mr Golding confirmed that the application for the street trading consent was to cover the hours 12pm until 6pm and that he would enter and exit the high street either from the South Cross Street entrance or the Ferry entrance. Mr Golding had proposed to locate his vehicle outside Burton's Outfitters as it would be next to his existing hot potato van.

RESOLVED: That the application for Street Trading Consent to allow for the provision of ice creams and frozen confectionary sales in the High Street on non-market days between the hours of 12pm and 6pm be approved.

## **PART II**

### **75. EXCLUSION OF THE PUBLIC**

RESOLVED: That in relation to the following item the public be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information within Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out.

### **76. APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVERS LICENCE.**

Consideration was given to an exempt report of the Environmental Services Manager which advised the Board of an application for the issue of a Private Hire Driver's Licence.

The report was exempt from publication as the public interest in maintaining the exemption outweighed the public interest in disclosing the information by reason that it contained personal information that was not considered appropriate to be released to the public.

RESOLVED: That the application for the issue of a Private Hire Driver's Licence be approved.

The meeting ended at 7.00 p.m.

CHAIRMAN

## APPENDIX C – APPLICATION FORM PAGE 1

### APPLICATION FOR STREET TRADING CONSENT

I wish to apply for the grant or renewal of a street trading consent in Gosport. I have personally completed the application below and have been honest in giving this information.

Signature of applicant



Date

9-1-12

#### About yourself

Title Mr First Name(s) CHRIS  
Surname GOULDING  
Birth Date 22/6/64 Age 47  
Home Address Number 15 WESTCROFT Rd  
Street \_\_\_\_\_  
District LEESLAND  
Town GOSPORT  
County HANTS Postcode PO12 3LR  
Telephone 95 502955 Mobile 07776 103 816

#### Company details

If the applicant is applying on behalf of a company, please tell us:

Name of Company GEORGIA'S ICE'S  
Address Number 11  
Street 11  
District 11  
Town 11  
County 11 Postcode 11  
Telephone 11 Fax 11  
Applicant's position in company OWNER

#### Trading location details

Your Trade Name GEORGIA'S ICE'S  
Name of Street HIGH ST  
Proposed Months of Trading or Annual 6 months

☒ Mon ☐ Tue ☒ Wed ☒ Thu ☒ Fri ☒ Sat ☒ Sun

Type of Trade - tick as appropriate:

☐ Donuts    ☐ Fish    ☐ Flowers    ☐ Hot Potato

☐ Other

Fee ..... as attached

Name of Insurer AMTF

Insurance Finish Date 3/15/2012

Are there any convictions that have not been spent or that are pending prosecutions recorded against the applicant or officers of the company? (tick as appropriate)

If YES please tell us:

Offence \_\_\_\_\_

Sentence (If applicable) \_\_\_\_\_

**For office use**

Date received 12/01/2012

Date consent approved   1   /   1   /   1  

Consent serial number \_\_\_\_\_

Fee £ \_\_\_\_\_

Receipt no. \_\_\_\_\_

## APPENDIX D – PLAN OF SITE



SITE OF TRADING LOCATION DRAWN ON A PLAN OF GOSPORT HIGH STREET

## AGENDA ITEM NO. 7

<b>Board/Committee:</b>	Licensing Board
<b>Date of Meeting:</b>	21 <sup>st</sup> February 2012
<b>Title:</b>	Driver and Vehicle Licensing Agency (DVLA) Driver Record Checking for Hackney Carriage Drivers, Dual Drivers, and Private Hire Drivers.
<b>Author:</b>	COMMUNITY AND CUSTOMER SERVICES MANAGER
<b>Status:</b>	FOR DECISION

### **Purpose**

To introduce Driver and Vehicle Licensing Agency (DVLA) Driver Record checks for all Hackney Carriage Drivers, Dual Drivers and Private Hire Drivers on annual renewal applications and for new applications

### **Recommendation**

That the Licensing Board requires all applications for Hackney Carriage Driver, Dual Driver and Private Hire Driver licence to be supported by a copy of the applicant's Driver and Vehicle Licensing Agency (DVLA) Driver Record of entitlement to drive.

#### **1 Background**

- 1.1 Condition 40 of the Gosport Borough Council Hackney Carriage and Private Hire Conditions, Revised July 2008 states, " All drivers licensed by the Council must have a valid driving licence issued by the DVLA",
- 1.2 A driver receiving penalties from the Courts or fixed penalty notices for offences that do not result in disqualification are required to surrender their driving licence for the endorsement to be added. Offending drivers will normally submit the licence to the Police, appropriate Court or Fixed Penalty Office who in turn will notify the DVLA if the driving licence is not submitted to them for endorsement. Many drivers fail to surrender their driving licence and in these circumstances the law provides for the licence to be revoked. Before the licence is revoked, the driver will be issued with two letters from the Court and a further two letters from the DVLA.
- 1.3 Prior to November 2010, at the point the DVLA revoked a licence, the law allowed a 'concessionary period' of 12 months for the licence to be surrendered during which time the driver could continue to drive. The entitlement to drive is removed on expiry of the concessionary period where the driver fails to surrender their licence. With effect from 7 November 2010, the DVLA now require drivers to surrender



their licence for endorsement within 28 days of notification of the conviction. Where drivers fail to do this the DVLA can revoke the licence on expiry of the 28 days.

- 1.4 The Licensing Officers currently physically examine an applicant's drivers licence as part of the licence renewal application and a new driver application processes. The officer's make their decision on the driving licence being physically produced to them in the majority of cases.

## **2 Report**

- 2.1 In March 2009 Gosport Borough Council became an accredited local authority by Driver and Vehicle Licensing Agency (DVLA) with whom a service agreement is established to be supplied copies of driver records by the DVLA. The service operates on payment of a £5.00 fee and the submission of a signed subject mandated authority. The Council is supplied with a copy of an applicants Driver and Vehicle Licensing Agency (DVLA) Driver Record of entitlement to drive in A4 tractor feed paper format. The procedure is postal service based and takes approximately 10 days to complete. Owing to the timescale, the service is used either for a new driver application that is appearing before the Licensing Board or in circumstances where an existing driver is unable to produce a current driving licence on renewal and after DVLA confirmation has been initially obtained through telephone enquiry or applying for a 3 year duration licence. To date 47 DVLA Driver Records have been supplied to Gosport Borough Council.
- 2.2 The Senior Licensing Officer has now identified a national commercial company, Intelligent Data Systems, which can offer Gosport Borough Council, being an accredited local authority by the Driver and Vehicle Licensing Agency (DVLA), a 48-hour on-line service to supply copies of driver records direct from the DVLA. The service operates on payment of a £5.75p fee and the submission of a signed subject mandated authority to the company.
- 2.3 By using the commercial third party company's 48-hour on line service to supply copies of driver records from the DVLA it will now be possible to access and independently verify any driver's DVLA Driver record on a timescale that does delay the annual driving licence renewal process.
- 2.4 All the driver's DVLA Driver records are held on-line by the commercial third party company and the Councils Licensing Officers are allocated unique on-line user identification to access and read the DVLA Driver records. This would relieve Gosport Borough Council of the detailed Data Protection compliance procedures over the storage and security of the paper Driver and Vehicle Licensing Agency (DVLA) Driver Records that are currently supplied to the Council.

### **3 Risk Assessment**

- 3.1 By using the commercial third party company, DVLA data is stored and retained on-line by the company. Councils Licensing Officers are allocated individual and unique on-line user identification to access and read on-line the DVLA Driver records. Gosport Borough Council is relieved of the Data Protection obligations over the handling and storage of paper DVLA driver records.
- 3.2 An application for Driver and Vehicle Licensing Agency (DVLA) Driver Record can only be accessed after the company have received the driver applicant's signed subject Mandated Authority authorising their Driver Record to be divulged by the DVLA. .
- 3.3 Intelligent Data Systems is a national commercial company offering a 48-hour on line service by supplying copies of DVLA driver records to prospective employers. The company has been trading since 2004 and has a customer base including 50 other local authorities across the country that successfully use the company's services.

### **4 Conclusion**

- 4.1 The changes to DVLA powers to revoke a driving licence has required this council to increase vigilance over the licensing of Hackney Carriage, Dual Driver and Private Hire drivers. The Council became an accredited local authority with the DVLA to enable applications for Driver Records to be issued to the Council.
- 4.2 A competitively priced commercial third party company has been identified offering a 48-hour on-line service supplying copies of driver records from the DVLA for a charge of £5.75p. There is additional premium charge of 75 pence over the standard DVLA charge of £5.00 for the company's online service to the council. The opportunity is now available to the Council to independently check the up-to-date DVLA Driver record of all new and annual renewal applications for Hackney Carriage and Private Hire drivers licences
- 4.3 By an independent verification of all driver applicants holding a current and valid entitlement to drive and a valid driving licence this Council will be enhancing its level of due diligence and duty of care being taken to protect the travelling public in the Borough.
- 4.4 It is recommended that the Licensing Board approves the Head of Environmental Health to proceed to introduce independent checking of the up-to-date DVLA Driver record of all new and annual renewal applications to the Council for Hackney Carriage and Private Hire drivers licences. The applicant will pay the checking fee in addition to the approved licence application fee when submitting their application.

<b>Financial Services comments:</b>	None
<b>Legal Services comments:</b>	None
<b>Service Improvement Plan implications:</b>	None
<b>Corporate Plan:</b>	Taxi driver applications meet the Strategic Priorities based on the themes of People, Prosperity, and the Pursuit of Excellence.
<b>Risk Assessment:</b>	
<b>Background papers:</b>	Gosport Borough Council Hackney Carriage and Private Hire Conditions, Revised July 2008
<b>Appendices/Enclosures:</b>	None
<b>Report author/ Lead Officer:</b>	Russell Bray Ext. 5553

## AGENDA ITEM NO. 8

<b>Board/Committee:</b>	Licensing Board
<b>Date of Meeting:</b>	21 <sup>st</sup> February 2012
<b>Title:</b>	Gosport Borough Council Accreditation of The Blue Lamp Trust Taxi Driver Assessment
<b>Author:</b>	COMMUNITY AND CUSTOMER SERVICES MANAGER
<b>Status:</b>	FOR DECISION

### **Purpose**

To accredit the Blue Lamp Trust Taxi Driver Assessment as an acceptable proof of driver competence for Gosport Borough Council Hackney Carriage and Private Hire Drivers

### **Recommendation**

That the Licensing Board accredits the Blue Lamp Trust Taxi Driver Assessment as an acceptable proof of driver competence for persons applying to be granted a Gosport Borough Council Hackney Carriage and Private Hire Drivers

#### **1 Background**

- 1.1 Since 2002 Gosport Borough Council has required all new driver applicants to undertake the Driving Standards Agency (DSA) practical assessment as part of a new driver application process. The applicant must produce to the Council a DSA Taxi Assessment Pass certificate before they can be granted a hackney carriage or private hire vehicle driver licence.
- 1.2 Condition 37 of the Gosport Borough Council Hackney Carriage and Private Hire Conditions, Revised July 2008 states, "Each person making an initial application for a driver's licence shall be required to submit themselves for an approved driving assessment, at the applicant's own expense.
- 1.3 The Blue Lamp Trust, which was founded in 1998, has been established to promote and enhance community safety in Hampshire. One of its principal functions is to operate a Driver Education and Training facility to reduce death and injuries on our roads. The Trust fulfils this function by conducting the "Driver Awareness Training Programme" across the county of Hampshire.
- 1.4 Driver awareness Training Courses are run by the Blue Lamp Trust in conjunction with Hampshire Police. These courses are based on the highly successful Police course that is offered to members of the

public as an alternative to prosecution for speeding offences. The courses are delivered for the Trust by Police trainers and provide an update on relevant Road Traffic Legislation and the Highway Code.

## **2 Report**

- 2.1 The Blue Lamp Trust have introduced a Taxi Driver Assessment course that is designed for prospective taxi licence applicants and the standard required is higher than that required for a learner test - a service offered by the Driver Standards Agency and compatible and to the same standard as the Driver Standards Agency Taxi Assessment.
- 2.2 The taxi driver assessment is designed to offer a Pass or Fail assessment. It is a practical driving assessment and involves:
- The driving Licence Check (both parts)
  - Eyesight Check (Number plate at 20m)
  - A 40 minute drive on a variety of road types (Motorway, Dual Carriageway, Urban and Rural) 9 driving faults maximum  
Several stops as if alighting a passenger
  - A taxi manoeuvre (turn in the road or U turn if applicable)  
Emergency stop (not compulsory).
  - Followed by a post-test debrief which is a significant and important feature of the Blue Lamp Trust Taxi Assessment for the benefit of the candidate.
- 2.3 The Blue Lamp Trust taxi driver assessment costs £60 ex VAT (£72 inc VAT) which favorably compares with the current Driver Standards Agency Taxi Assessment which costs £79.66 for weekday tests and £96.00 for weekend and weekday evening

## **3 Risk Assessment**

- 3.1 As stated at 1.4 above the courses are delivered for the Trust by Police trainers and provide an update on relevant Road Traffic Legislation and the Highway Code. The Council can confidently place reliance on the qualifying standard of The Blue Lamp Trust Taxi Driver Assessment as being of an equal standard to the Driver Standards Agency Taxi Assessment currently adopted by the Council.

## **4 Conclusion**

- 4.1 By accrediting The Blue Lamp Trust Taxi Driver Assessment Gosport Council will offer a choice of accreditation providers to new applicants seeking to be licensed as a Gosport Hackney Carriage and / or Private Hire Drivers. A candidate choosing to complete The Blue Lamp Trust Taxi Driver Assessment will receive a post-test debrief. The Blue Lamp Trust will benefit by generating revenue for the charitable works the Trust undertakes to promote and enhance community safety in Hampshire.

<b>Financial Services comments:</b>	None
<b>Legal Services comments:</b>	None
<b>Service Improvement Plan implications:</b>	None
<b>Corporate Plan:</b>	The driver application process meets the Strategic Priorities based on the themes of People, Prosperity, and the Pursuit of Excellence.
<b>Risk Assessment:</b>	
<b>Background papers:</b>	1) Gosport Borough Council Hackney Carriage and Private Hire Conditions, Revised, July 2008 2) Regulatory Board Report 9 <sup>th</sup> July 2002.
<b>Appendices/Enclosures:</b>	None
<b>Report author/ Lead Officer:</b>	Russell Bray Ext 5553