



Belfast City Council

Report to:	Development Committee
Subject:	Taxi Operator Licensing Regulations Consultation
Date:	15 February 2011
Reporting Officer:	John McGrillen, Director of Development, ext 3470
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1	Relevant Background Information
1.1	The Department of the Environment published a consultation document on the 10 December 2010 seeking views on the proposal to introduce Taxi Operator Licensing in Northern Ireland.
1.2	The proposed Regulations will introduce: <ul style="list-style-type: none">- Taxi operator licensing for both private and public hire vehicles;- Make provision for offences; and- Establish the penalty system for the provisions of the Act.
1.3	The Department considers that the introduction of Taxi Operator Licensing will help to modernise the industry and introduce a regime comparable to the other administration in Great Britain and Ireland. This will contribute to the provision and management of a fair and safe transport industry by enhancing the role of taxi operators and ensuring that taxi services are more effectively regulated. This should contribute to a reduction in illegal taxi operations and greater certainty for the users of such services.
1.4	The Department intends to put in place transitional arrangements to allow existing taxi service providers to continue to operate in the period when the new regulations are being introduced. During a two month transitional period, taxi operators will be required to apply for a license and can operate under the application process until the license is granted or refused by the Department.

2	Key Issues
2.1	Currently neither taxi operators nor their bookings offices in Northern Ireland are subject to any regulation. The licensing regime is different in Great Britain although private hire operator licensing has been in place since 2000.
2.2	It should also be noted that a separate review of Taxi Regulations covering fares and taximeters, hiring of taxi at separate fares, is being carried out by the Departments.
2.3	<p>The general requirements of this Legislation are as follows:</p> <ul style="list-style-type: none"> - The new regulations will apply to all taxi operators within Northern Ireland. - It will make it illegal for an organisation or individual to operate a taxi service without having a license. (The legislation outlines information to be contained in the application for the license.) - Drivers will be required to hold a taxi drivers license in addition they must hold an Operator License if running their own taxi business or be named on a Taxi Operators License. - All licensed operators must ensure that taxis operating within their Taxi Operator License are licensed taxi vehicles, driven by licensed taxi drivers. It will be an offence to provide a taxi service without a Taxi Operator license. - Drivers will only be allowed to be named on one license at any one time and work for one licensed operator at any one time. - The Department proposes that the License will be valid for a maximum of five years from the date granted. The proposal also contains provisions for shorter license periods can be issued at the discretion of the Department. - The new regulations will require an applicant to be fit and proper. To determine 'fit and proper' criteria applicants will be expected to demonstrate that they have complied with other legal requirements connected with running a business.
2.4	The Department has proposed a fee structure which is dependent on the uptake by operators. The fees are intended to cover the costs incurred in carrying out a licensing function. Two fees are proposed depending on the size of the taxi business, a small operator license and large operator license. A summary of the proposal are contained in Appendix 2.
2.5	<p><u>Issues for consideration</u></p> <ul style="list-style-type: none"> - The proposed system should improve safety by establishing a situation whereby taxi services would only be undertaken by those who have been subject to licensing checks. - There may be a low uptake of the licenses due to increased administration and cost and therefore a decline in the service offered. The fee structure should be kept to a minimum to cover administration costs. - A reduced fee is proposed for smaller operators which should be beneficial for the small local taxi business.

	<ul style="list-style-type: none"> - There may be a case for taxi operators to transfer increased cost of operations onto taxi users; therefore regulations to cover fare structure should to be bought forward in line with the licensing legislation. <p>The proposed response to the consultation is attached in Appendix 1 for consideration by elected Members.</p>
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3	Resource Implications
3.1	There are no resource implications

4	Equality and Good Relations Considerations
4.1	There are no equality and Good Relations Considerations attached to this report

5	Recommendations
5.1	Members are requested to consider the proposed response to the Consultation paper on Taxi Operator Licensing in Northern Ireland if appropriate, agree a response to be submitted to DOE.

6	Decision Tracking
Final response submitted to DOE	
Timeline: February 2011	
Reporting Officer: John McGrillen	

7	Key to Abbreviations
DOE – Department of the Environment	

8	Documents Attached
Appendix 1 – Draft Response	
Appendix 2 – Summary of the Consultation paper on Taxi operator Licensing in Northern Ireland	