

Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Hackney Carriage & Private Hire Licensing Policy

Meeting/Date: Licensing & Protection Committee – 05/06/2025

Executive Portfolio: Executive Councillor for Resident Services and Corporate Performance – Councillor Stephen Ferguson

Report by: William Dell'Orefice (Licensing Officer)

Ward(s) affected: All Wards

Executive Summary:

This report provides the Licensing & Protection Committee with a proposed amendment to Hackney Carriage and Private Hire Licensing Policy 2024, attached as **Appendix A**. The proposed amendment is submitted for approval and addresses a recent issue that has arisen regarding the use of multiple trading names for licensed private hire operators. At present, there are no conditions contained within the policy to regulate the use of various trading names.

All proposed changes are detailed in **Appendix B** and would be inserted at Section 50 of the existing policy.

If approved by the Committee, the final policy, with any amendments made, will be adopted and implemented from the 06 June 2025.

The changes proposed are in-keeping with both regulatory codes of conduct, statutory guidance and the Council's Corporate Plan. All costs associated with the implementation of this policy will be financed from the receipt of licence fees.

Recommendation(s):

The Licensing & Protection Committee is recommended to consider the proposed amendment and approve the Hackney Carriage & Private Hire Licensing Policy to take effect from the 06 June 2025

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to allow members of the Licensing & Protection committee the opportunity to review and approve an additional section to be added in at Section 50 of the Hackney Carriage and Private Hire Licensing Policy. The report provides full details of the changes and recommended alterations.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Hackney Carriage and Private Hire Licensing Policy was last reviewed and amended in 2024 and part of its implementation was an agreement to review the policy every 5 years in line with statutory guidance recommendations.
- 2.2 The review of this policy is necessary to review and implement, where appropriate, changes to regulate the use of multiple trading names. At present, there are no conditions contained within the policy to regulate the use of various trading names.
- 2.3 The licensing team have recently received several complaints about licensed private hire operators using different trading names for their businesses.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 Consideration has been given to the impact on protecting the public, the livelihood of the licensed trade, the ability to provide a reliable and cost-effective service.

4. KEY IMPACTS / RISKS

- 4.1 The proposed amendment to the Hackney Carriage and Private Hire Licensing Policy will have several impacts that benefit the public, the licensed trade and the licensing team.
- 4.2 The changes will enable the licensing team to properly regulate the use of trading names for licensed private hire operators. There are no explicit restrictions of the number of trading names a company or sole trader may use in the general business world.
- 4.3 The main risk of not regulating the use of trading names for licensed private hire operators is the confusion it may cause to the public. A member of the public may actively seek to avoid a particular company and would be unaware the company was simply trading with an additional name.
- 4.4 There is further risk that operators may use names too closely related to another business with the intention of disrupting their client base. This would also add to customer confusion.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 It is proposed that the final approved Hackney Carriage and Private Hire Licensing Policy will be implemented from 06 June 2025.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The proposals in the draft policy directly link to the three priorities listed in the Corporate Plans: Improving quality of life for local people, creating a better Huntingdonshire for future generations, Doing our core work well.

7. CONSULTATION

- 7.1 No consultation was conducted as there was no requirement to do so given the legality of trading names exists in other legislation. The amendments simply to formally regulate these names and ensure effective control.

8. LEGAL IMPLICATIONS

- 8.1 Legal implications may arise as a result of non-compliance with legislation, leaving us open to challenge and the possibility of costs being awarded against the Council. An improved policy will clearly state the way in which the Council will undertake its statutory duties.

9. RESOURCE IMPLICATIONS

- 9.1 There will only be a minor staff resource implication for completion of the work to be undertaken and its implementation. It will require the set-up of slightly differing processes and communication with the trade, but once in place should generate efficiencies. The changes proposed will be met from within existing resources.
- 9.2 All fees and charges associated with taxi licensing must be self-financing and on a cost recovery basis only. Any changes determined as a result of this report will impact upon fees and charges. Some costs may be absorbed within licence fees, but others may need to be borne by the applicant and will be considered in the annual fee review.

10. ENVIRONMENT AND CLIMATE CHANGE IMPLICATIONS

- 10.1 The proposed amendment will not have any impact on the environment or any climate change implications.

11. REASONS FOR THE RECOMMENDED DECISIONS

- 11.1 Approval of the proposed amendment to the Hackney Carriage and Private Hire Licensing Policy will create a clear, easily accessible approach which sets out the standards for the use of multiple trading name and that will add benefit to both the licensed trade as well to the licensing team in ensuring public safety.

12. LIST OF APPENDICES INCLUDED

Appendix A – Hackney Carriage and Private Hire Licensing Policy 2024

Appendix B - Amendments to Hackney Carriage and Private Hire Licensing Policy 2024

13. BACKGROUND PAPERS

- [Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Act 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/legislation/taxis-and-private-hire-vehicles-safeguarding-and-road-safety-act-2022)
- [Statutory taxi and private hire vehicle standards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards)
- [Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england)
- [Councillor Handbook: Taxi and PHV Licensing | Local Government Association](https://www.local.gov.uk/councillor-handbook/taxi-and-phv-licensing)
- [Equality Act 2010: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/equality-act-2010-guidance)

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