

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Scoping Exercise on Hackney Carriage and Private Hire Licensing
Meeting/Date:	Licensing and Protection Committee – 5 July 2017
Executive Portfolio:	Executive Councillor for Housing and Regulatory Services - Cllr Ryan Fuller
Report by:	Licensing Manager – Christine Allison
Ward(s) affected:	All

Executive Summary:

As a result of a recent increase in the number of licensed drivers and Hackney Carriage/ Private Hire vehicles and need to be more business and customer focused, a scoping exercise has been undertaken on the Hackney Carriage and Private Hire functions undertaken by the Council.

The service operates within a number of separately published policies and procedures, but has no overarching policy document. It is now considered that a dedicated taxi policy statement be formulated and published.

The formulation of a new policy statement will address recent new statutory duties placed upon the Council, will provide an opportunity to re-visit a number of existing policies and procedures and will enable consideration of the introduction of a number of new discretionary initiatives to raise standards.

Recommendation(s):

It is recommended that:

1. A dedicated taxi licensing policy be formulated and draft prepared for the next meeting of the Licencing and Protection Committee on 20 September 2017.
2. The matters detailed in paragraph 3.1 where action is considered to be necessary are approved.
3. The matters detailed in paragraph 3.2 where action is considered to be discretionary are approved.
4. Members consider whether there are any further aspects that need addressing as a part of the draft policy statement / scoping.

1. PURPOSE OF THE REPORT

- 1.1 The Council has a duty to provide a safe and secure taxi service to the public which provides value for money. Between 1 April 2015 and 31 March 2017, the number of drivers and vehicles licensed within the district has increased by 31% and 17% respectively. The service currently operates within a number of separately published policies and procedures, but has no overarching policy document. It is now considered that a dedicated taxi policy be formulated and published.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Introducing a policy will provide the ability to state and extend our aims and objectives to include additional areas such as protection from harm, environmental sustainability and crime and disorder. It will also provide an opportunity to look at other elements of licensing for review, updating, introducing or discontinuing and to ensure they are LEAN and customer led.
- 2.2 Some matters for consideration are statutory, whereas others, whilst not statutory, are in line with our corporate plan and could be used to provide positive improvements to standards.
- 2.3 Our standards going forward will determine our position in the market and whether we want to encourage all comers or implement measures that may favour the local community.
- 2.4 All policies, processes and procedures will be fully transparent and available to view on line. A policy, once introduced, may need regular updating to reflect legislative changes, but will provide a customer focused and readily available service. Public consultation would need to be undertaken.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 The following actions are considered to be necessary:
- To introduce a new dedicated taxi licensing policy statement.
 - To introduce new elements of training for drivers on child sexual exploitation, safeguarding and disability awareness.
 - To introduce 3 year licences for drivers and 5 year licences for operators with effect from 1.4.18 with the option for 1 year licences, if appropriate.
 - To discontinue the penalty point system.
 - To review the conditions for drivers, vehicles and operators.
 - To include new statutory provisions relating to Section 167 (6) of the Equality Act 2010.
 - To include new statutory provisions relating to the Immigration Act 2016 and right to work in the UK.
 - To update the Council's guidelines relating to the relevance and treatment of convictions.
 - To alter the delegations of authority to be smart and appropriate to enable decisions to be quickly arrived at.
- 3.2 The following actions are considered to be discretionary:
- Whether or not to introduce a local knowledge test for new drivers.
 - Whether or not to introduce an English/ maths test.

- Whether or not to impose an age limit on vehicles.
- Consideration of a more uniform appearance for Hackney Carriage Vehicles.
- Consideration of mandatory door stickers for Private Hire Vehicles.
- Consideration of a sliding scale of fees for Operators.

3.3 A further analysis of the matters referred to in paragraphs 3.1 and 3.2 are detailed in an action plan attached as Appendix A.

4. KEY IMPACTS / RISKS

4.1 We have a duty to implement government legislation and are advised to adopt government guidance. If we do not do so, then we are open to legal challenge.

4.2 Policies and procedures provide evidence of our stance on taxi licensing matters. A policy will be transparent, will aid consistency of practice and will be made available to the public.

4.3 The absence of an overarching policy could impact upon the ability for drivers and customers to easily access relevant information.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

5.1 The results of today's determinations will be translated into a draft policy statement incorporating the relevant elements. It will then be returned to the next meeting of the Licensing and Protection Committee on 20 September 2017.

5.2 Public consultation and engagement with the trade will be undertaken between October and December 2017.

5.3 A further draft policy will then be drawn up, taking into account all responses received from the consultation and will be presented to the Licensing and Protection Committee in January 2018 for final approval.

5.4 It is proposed that implementation of the policy/ proposals will take effect on 1 April 2018.

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

6.1 This opportunity can be used to review and simplify other related areas, ensuring that our processes are LEAN, customer focused and provide value for money. The introduction of safeguarding and child exploitation training would be a positive move in support of the Council's corporate plan.

7. CONSULTATION

7.1 The matters referred to in paragraphs 3.1 and 3.2 were put before the Policy Development Group meeting on 23 May 2017, where it was acknowledged that it would be beneficial to have an overarching policy statement containing all the relevant information in one place that a potential driver or operator could easily access and understand.

7.2 It was also acknowledged that the exercise of producing a policy statement could be further utilised to undertake a fundamental review of the taxi licensing processes, to determine the Council's level of licensing standards and our place in the taxi market.

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.

9. RESOURCE IMPLICATIONS

- 9.1 There will be a staff resource implication for completion of the work to be undertaken, but this can be met from within existing resources. Some costs can be absorbed within licence fees, but others will need to be borne by the applicant. An indication of the likely costs for implementation has been outlined in Appendix A, where appropriate.

10. REASONS FOR THE RECOMMENDED DECISIONS

- 10.1 The actions proposed will redefine and determine our position within the market going forward and will provide an easily accessible overarching document setting out our policy on taxi matters.

11. LIST OF APPENDICES INCLUDED

Appendix A – Summary of actions considered necessary and discretionary.

BACKGROUND PAPERS

None

CONTACT OFFICER

Christine Allison, Licensing Manager
Tel No: 01480 387075