

Creation of a Hackney Carriage and Private Hire Licensing Policy

Date:	8 November 2018
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Key Decision?	YES NO (delete as appropriate)
Local Ward Members	n/a

REGULATORY AND LICENSING COMMITTEE

1. Executive Summary

- 1.1 This report seeks approval from committee members for consultation to begin on the draft Hackney Carriage and Private Hire Licensing Policy at Appendix A.
- 1.2 The draft policy outlines the decision making framework that Lichfield District Council will apply when exercising its responsibilities for licensing hackney carriage and private hire vehicles, drivers and operators.

2. Recommendations

- 2.1 It is recommended that Members approve for consultation the draft Hackney Carriage and Private Hire Licensing Policy
- 2.2 That following consultation the draft policy be bought back for members to consider, together with any comments received.
- 2.2 That the Chairman of Regulatory and Licensing Committee together with the Head of Regulatory Services, Housing & Wellbeing be delegated to make any minor amendments to the Policy.

3. Background

- 3.1 Lichfield District Council ("The Licensing Authority") is responsible for the regulation of the Hackney Carriage and Private Hire trades within the District of Lichfield.
- 3.2 Lichfield District Council recognises the important role of Hackney Carriages and Private Hire vehicles in enabling people to travel around the District and the need to provide public reassurance and a positive customer experience by transporting customers safely.
- 3.3 Presently, the Licensing Authority has a number of guidance notes and conditions in place but does not have an overarching policy that combines them all together.
- 3.4 The draft policy has been developed by Lichfield District Council officers and takes into account the following:-
 - The Council's Licensing Objectives
 - Current legislation including the Deregulation Act 2015
 - The Office of Fair Trading "The regulation of Licensed Taxi and PHV Services in the UK" 2003

- Taxi and PHV Licensing Criminal Conviction Policy, LGA
- Guidance on the Rehabilitation of Offenders Act 1974 – March 2014
- Disclosure & Barring Service Information Note on Rehabilitation of Offenders Act 1974 and Police Act 1997 Order – 2013
- Regulators Code 2014
- The Department for Transport “Taxi and Private Hire Vehicle Licensing: Best practice Guidance” March 2010
- Secretary of State report in to governance, protection of young people and taxi licensing, Louise Casey CB February 2015
- Guide Dogs – Taxi and PHV Policy – Assistance Dogs – Best Practice Guide
- Institute of Licensing guidance on determining the suitability of applicants and licensees in the Hackney and Private hire trades April 2018
- The report of the Task and Finish Group on Taxi and Private Hire Licensing October 2018

3.6 The policy sets out the Council’s the decision making framework against which licensing decisions will be made. It also sets out conditions which drivers and operators are required to meet. In developing the draft policy best practice has been identified and incorporated into the policy.

3.7 This includes a number of key improvements, including:

- Proposed introduction of a penalty point scheme designed to improve driver standards
- Proposed introduction of requirement for drivers to undertake disability awareness training
- Proposed extension of the upper age limit of vehicles to seven years
- Proposed introduction of DBS checks being carried out at a minimum of every six months
- Proposed requirement that all Private Hire Vehicles are required to provide information to passengers including driver photo ID and the vehicle licence number, in advance of a journey
- Proposed introduction of a condition that drivers cooperate with requests from authorised compliance officers in other areas.

3.8 Public Safety has remained at the heart of all the changes and the proposed changes will put the licensing framework in line with best practice and make it clearer and transparent.

Alternative Options	1. The Committee could consider not consulting on the proposed draft policy; however this would not accord with good governance or best practice.
Consultation	<ol style="list-style-type: none"> 1. If approved for consultation, all licensed Drivers, Proprietors of vehicles and operators will be consulted on the draft policy. 2. The policy will also be published on the Lichfield District Council website for public consultation.
Financial Implications	<ol style="list-style-type: none"> 1. The policy includes details of the fees charged for the issuing of licenses which take into account the cost of processing, administering and compliance costs associated with the licence. 2. The costs of administering the licensing function is recovered through the fees charged. The policy provides a clear decision making framework which supports the delivery of an efficient and effective service.

Contribution to the Delivery of the Strategic Plan	1. The policy will support objectives contained within the District Council's Strategic Plan 2016 -20. In particular, a vibrant and prosperous economy and healthy and safe communities.
Equality, Diversity and Human Rights Implications	1. An equality Impact Assessment will be undertaken once the consultation process is complete.
Crime & Safety Issues	1. The policy will assist the Local Authority is exercising its duties and responsibilities, in particular with regard to safeguarding and human trafficking.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Negative response from taxi trade	Consultation with the trade	Yellow
B			
C			
D			
E			

Background documents
Appendix A – Draft Hackney Carriage & Private Hire Licensing Policy

Relevant web links
[https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_\(16_May_2018\).pdf](https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_(16_May_2018).pdf)