

Review of Hackney Carriage and Private Hire Licensing Policy



Date: 25th February 2021
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Key Decision? YES
Local Ward All Wards
Members

REGULATORY AND LICENSING COMMITTEE

1. Executive Summary

- 1.1 This report gives members feedback on the outcome of the consultation for the Review of the Hackney Carriage and Private Hire Licensing Policy.
- 1.2 The 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 That Members approve and adopt the revised Hackney Carriage and Private Hire Licensing 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 In exercising this responsibility 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 Attached at Appendix A is the current Hackney Carriage and Private Hire Licensing policy that was initially agreed in 2019
- 3.4 The policy sets out the decision making framework against which licensing decisions will be made. It also sets out conditions which drivers and operators are required to meet.
- 3.5 A review of the Hackney Carriage & Private Hire Licensing Policy was due to take place during 2020. However due to the coronavirus pandemic and the impact on the taxi trade, it was felt that this should initially be delayed.
- 3.6 In July 2020 the Department for Transport released the Statutory Taxi and Private Hire Vehicle Standards attached at Appendix B. The document sets out a framework of policies that licensing authorities must have regard to when exercising their functions. It was therefore considered that the review of the existing policy must be undertaken to consider these Standards.

3.7 On 4th December 2020 consultation commenced. The following were consulted:

- All Combined Hackney Carriage & Private Hire Drivers Licence Holders
- All Private Hire Vehicle Proprietors
- All Hackney Carriage Vehicle Proprietors
- All Private Hire Operators
- TT Autos (Vehicle Tester)
- Safeguarding Board for Young People
- Adult Safeguarding Board
- Fire Service
- Trading Standards, Staffordshire County Council
- Staffordshire County Council Highways
- Staffordshire Police
- Support Staffordshire
- Environmental Health Team
- The Licensing Authorities approved medical practitioner, CHC Medical
- Members of the public via the Council's website

3.8 The consultation concluded on 29th January 2021. The consultation was in line with the guidance issued by the Cabinet Office dated 2018.

3.9 Public Safety has remained at the heart of all the proposed changes and the proposed changes will put the licensing framework in line with best practice and make it clearer and transparent. Subject to council agreement, it is proposed that this policy takes effect from 1 April 2021. Attached at Appendix C is a table of proposed changes consulted upon. The majority of these changes were brought about because of the Department for Transport Statutory Taxi and Private Hire Vehicle Standards. Other changes have been made where it was felt clarification of wording was required,

3.10 2 Individual responses were received, and 1 response was received from The National Union of Rail, Maritime and Transport Workers (RMT). An overview of responses is attached at Appendix E.

3.11 Members will recall that the policy included the introduction of a penalty points system. As part of this review the views of the Environmental Health officers responsible for enforcement have been sought in relation to the impact of the penalty point system introduced in April 2019. The officers believe that the points system has had a positive effect, with a decrease in times officers are having to speak to drivers, often repetitively. A total of 48 points have been issued since the implementation of the scheme. These relate to failure to display driver's licence, failure to display roof sign and failure to display side stickers. Issues are picked up through regular on going enforcement initiatives carried out by officers.

3.12 It is therefore proposed that the changes proposed in Appendix C, together with the amendments as stated in Appendix E and the executive hire vehicle conditions attached as Appendix D be incorporated within the existing Hackney Carriage & Private Hire Licensing Policy.

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| Alternative Options | 1. The Committee could consider not approving the proposed Policy amendments but this would mean not implementing all of the Statutory Taxi and Private Hire Vehicle Standards. This would potentially leave the council open to a legal challenge. |
| Consultation | 1. A List of those consulted is set out in paragraph 3.8 2. The policy and proposed amendments was also published on the Lichfield District Council website. |
| Financial | 1. The costs of administering the licensing function is recovered through the |

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| Implications | fees charged. The policy provides a clear decision making framework which supports the delivery of an efficient and effective service. |
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| Contribution to the Delivery of the Strategic Plan | <p>1. The policy will support the District Council’s Strategic Plan 2020-2024 to:-</p> <p>Enable people to</p> <ul style="list-style-type: none"> • help themselves and others • collaborate and engage with us • live healthy and active lives <p>Shape place to</p> <ul style="list-style-type: none"> • keep it clean, green and safe • preserve the characteristics • make sure sustainability and infrastructure needs are balanced <p>Develop prosperity to</p> <ul style="list-style-type: none"> • encourage economic growth • enhance the district for all • invest in the future |
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| Equality, Diversity and Human Rights Implications | <p>1. An Equality Impact Assessment has been undertaken, this identified a positive impact on all customers, particularly vulnerable people and those with disabilities. This is supported by the Licensing Aims and Objectives contained within the Policy.</p> |
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| Crime & Safety Issues | <p>1. The policy will assist the Local Authority is exercising its duties and responsibilities, in particular with regard to safeguarding, child sexual exploitation and human trafficking.</p> |
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| | Risk Description | How We Manage It | Severity of Risk (RYG) |
|---|-----------------------------------|-------------------------------------|---|
| A | Negative response from taxi trade | Ongoing consultation with the trade | Likelihood : Yellow Impact : Yellow Severity of Risk : Yellow |
| B | | | |
| C | | | |
| D | | | |
| E | | | |

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| <p>Background documents</p> <p>Appendix A – Current Hackney Carriage & Private Hire Licensing policy</p> <p>Appendix B – Statutory Taxi & private Hire Vehicle Standards</p> <p>Appendix C – Policy Amendments</p> <p>Appendix D – Executive Hire vehicle conditions</p> <p>Appendix E –Overview of responses to consultation</p> |
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| <p>Relevant web links</p> <p>https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_(16_May_2018).pdf</p> <p>https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards</p> |
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