

PLANNING AND LICENSING COMMITTEE

24 October 2023

APPROVAL OF THE HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Report of the Strategic Director of Places

Strategic Aim:	Sustainable Lives	
Cabinet Member(s) Responsible:	Cllr C Wise, Portfolio Holder for Transport, Highways and the Environment	
Contact Officer(s):	Angela Culleton, Head of Public Realm	aculleton@rutland.gov.uk
	Emily Frikha, Environment Manager	efrikha@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Committee recommends to Council:

1. To approve the Hackney Carriage and Private Hire Licensing Policy.

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is for Council to approve the Hackney Carriage and Private Hire Licensing Policy following the recent policy development and public consultation exercise.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 In their November 2022 audit of Taxi Licensing, Internal Audit identified areas where the control environment could be strengthened and improved. This included the introduction of a Licensing Policy for hackney carriage and private hire vehicles bringing together all existing procedures in one place and in line with Department for Transport statutory standards.
- 2.2 A new policy has been developed under the shared service arrangement with Peterborough City Council. The new policy provides guidance and information regarding the general approach taken by Rutland County Council when administering its functions within the legislative framework of The Town and Police Clauses Act 1847 and the provisions within The Local Government (Miscellaneous Provisions) Act 1976.

- 2.3 The policy has 7 sections which provide an overview of the licensing regime and sets out the roles and responsibilities of applicants, licence holders, the Trade, drivers and operators.
- 2.4 Section 2 provides for the general provisions for hackney carriages and private hire vehicles and outlines the general requirements, appearance, age, insurance, safety equipment, CCTV in licensed vehicles, maintenance and testing of vehicles and other aspects.
- 2.5 Section 3 provides for the general provisions for hackney carriage and private hire drivers, including suitability of drivers, the application process, convictions, cautions and related matters, DVLA, medical requirements, driver requirements, offences, monitoring.
- 2.6 Sections 4 to 7 address operator suitability, safeguarding, enforcement and fees and charges.
- 2.7 A Final Draft of the proposed policy is attached at Appendix A.
- 2.8 The policy and appendices will be kept under review and revised as appropriate and in any event, not less than every five years. The Council expects licence holders to comply with its terms and conditions.
- 2.9 During the life of the policy, we will consider areas for future development including the greening of the taxi fleet, additional requirements around the use of CCTV and the introduction of bylaws. These areas are likely to require further consultation.
- 2.10 The Council is keen to achieve reductions in carbon emissions and improve air quality as part of its green agenda. The step change needed to green fleet will take time to put in place and require the essential supporting infrastructure development.
- 2.11 Switching to low emission vehicles addresses the biggest source of localised air pollution from standard fuelled vehicles. Electric vehicles produce no exhaust fumes leading to significant public health benefits. They are also quieter than standard fuel equivalents, reducing noise pollution and improving the working environment for the drivers. We will consider electric vehicle trials as part of our future development work.
- 2.12 The introduction of electric taxis will require new charging infrastructure to be available and may require upgrades to the electricity grid. In some cases, a new transformer or a new substation will be required which leads to additional costs. Grid upgrades are subject to application and queue prioritization systems. This can be a time-consuming process. Changes to infrastructure need to be planned well in advance and can incur significant cost. The current position in Rutland will need to be assessed prior to any changes being implemented.

3. CONSULTATION

- 3.1 On 14th March 2023, the Planning and Licensing Committee gave approval for the draft policy to go out to public consultation. The consultation ran from 8th June to 21st July 2023.
- 3.2 We directly contacted the following groups to make them aware of the consultation:

- Rutland licensed taxi and private hire drivers
- Rutland licensed taxi and private hire operators
- Town Councils
- RCC's Transport Team
- RCC's Community Safety Team
- RCC's Children's Safeguarding Team
- Police Chief Constable
- Chamber of Commerce
- Groups representing disabled people (including Vista and Age UK)
- Campaign for Better Transport
- Neighbouring Licensing (Local) Authorities
- General public via Council communication methods

3.3 The consultation asked specific questions about proposed vehicle age limits, the use of CCTV, vehicle testing, and safeguarding training as well as asking for any general comments and feedback. We received 82 responses in total. Therefore, no changes are required to the policy as a result of the consultations. The full results of the consultation are contained in Appendix B.

4. ALTERNATIVE OPTIONS

4.1 It is recommended in statutory guidance that the Council, as the Licensing Authority, maintains a licensing policy that brings together all requirements, procedures and conditions. Therefore, the alternative option to not implement the policy is not recommended. In addition, by implementing a licensing policy, the Council would be meeting statutory standards of providing clear and consistent guidance for the trade.

5. FINANCIAL IMPLICATIONS

5.1 There are no direct financial implications associated with approving the Policy.

5.2 Consideration will be given to full cost recovery of any additional costs (for example those related to implementing driver safeguarding training) through increases in licensing fees and charges, providing these are reasonable.

6. LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The DfT Statutory Taxi and Private Hire Vehicle Standards require the Council, as a licensing authority, to determine its statement of licensing policy for each 5-year period. The Authority must consult on the policy and publish the policy. Throughout the 5-year period, the Council is required to keep the policy under review and make any appropriate revisions.

7. EQUALITY IMPACT ASSESSMENT

7.1 An Equality Impact Assessment First Stage Screening has been completed. It is not felt that a full Equalities Impact Assessment is required for this Policy as no potential discriminatory impacts have been identified. The Policy is intended to deliver improved services for all users of the service.

8. COMMUNITY SAFETY IMPLICATIONS

8.1 The primary aim of the legislation is to protect the public and safeguard the

vulnerable. Licence holders must be considered 'fit and proper' and vehicles must be well maintained.

- 8.2 The implementation of the Hackney Carriage and Private Hire Licensing Policy is an important contribution to community safety. A robust and enforced policy contributes to an accountable service which in turn can help to reduce crime and anti-social behaviour.

9. HEALTH AND WELLBEING IMPLICATIONS

- 9.1 A robust Hackney Carriage and Private Hire Licencing Policy can contribute positively towards improved health and wellbeing. Taxis provide a vital service for members of the public who may not have access to their own vehicles ensuring that they can travel for work, school, domestic purposes and pleasure. It is important that access to these services is accessible and open to all.

10. ORGANISATIONAL IMPLICATIONS

There are no organisational implications resulting from the approval of the Policy.

11. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 11.1 Council is recommended to approve the draft Hackney Carriage and Private Hire Licensing Policy in Appendix A.
- 11.2 This decision is required to comply with the Council's statutory obligation to have full regard to the Department for Transport Statutory Taxi & Private Hire Vehicle Standards.
- 11.3 A robust consultation exercise has taken place and demonstrated support for the draft policy.

12. BACKGROUND PAPERS

- 12.1 There are no additional papers to the report.
- 12.2 The following have been used in the preparation of this report and the draft Policy:
- Town Police Clauses Act 1847
 - Local Government (Miscellaneous Provisions) Act 1976
 - Department for Transport (DfT) Statutory Taxi & Private Hire Vehicle Standards

13. APPENDICES (MANDATORY)

- 13.1 Appendix A – Draft Policy
- 13.2 Appendix B – Consultation outputs

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.