



REPORT TO:	Licensing Committee
DATE:	Wednesday, 15 March 2023
SUBJECT:	Taxi and Private Hire Licensing Policy
PURPOSE:	The Committee are asked to consider the draft taxi licensing policy prior to it being published for consultation
KEY DECISION:	No
PORTFOLIO HOLDER:	Portfolio Holder for Public Protection
REPORT OF:	Christian Allen, Assistant Director Regulatory
REPORT AUTHOR:	Donna Hall, Head of Public Protection
WARD(S) AFFECTED:	All wards
EXEMPT REPORT	No

SUMMARY

The taxi licensing policy has been reviewed and redrafted following changes to legislation, best practice and statutory guidance. A new policy has been drafted and members of the Licensing Committee are asked to consider this revised policy, provide feedback and approve that the policy is published for consultation. The policy will then be revised following consultation feedback and brought back to a future meeting of the Licensing Committee for final consideration and approval.

RECOMMENDATIONS

That Licensing Committee consider the draft policy and recommend that it is published for consultation.

REASONS FOR RECOMMENDATIONS

It is recommended that a new taxi policy is adopted following consultation to ensure the Council is up to date, transparent and consistent.

It is also recommended that a twelve-week consultation is undertaken to ensure that the taxi trade and other interested parties have the opportunity to provide feedback.

OTHER OPTIONS CONSIDERED

Do nothing – the Licensing Committee retain the current Taxi Licensing Policy

1. BACKGROUND

- 1.1 As a Licensing Authority we are entitled, but not required, to adopt a policy on taxi licensing. The policy is viewed as being an integral part of the decision-making process enabling consistency and transparency. It is there to guide the licensing authority but each case must still be considered on its own merits.
- 1.2 The Council's existing taxi licensing policy needs to be updated and the decision was taken that the current format was no longer fit for purpose. Therefore a review has taken place and a new policy has been drafted.
- 1.3 The Licensing Officer has conducted significant research on taxi licensing including reviewing other Council's policies, taxi licensing guidance and best practice from the trade.
- 1.4 The proposed policy has been drafted taking into account this information, however it must be stressed that this is in draft form currently and a full public consultation should be undertaken. It is essential that the trade and other interested parties have the opportunity to fully consider and contribute to the new policy.
- 1.5 It is recommended that the draft policy is published for a full consultation for 12 weeks, enabling plenty of time for the trade, general public and other interested parties to fully consider the proposals and respond if needed. The Licensing Team will ensure that all existing Operators and drivers are aware of the consultation and have the opportunity to respond.
- 1.6 Following the consultation, officers will review all feedback received and return to Committee with an amended draft policy as appropriate, for the committee to consider and approve.

2. REPORT

- 2.1 The policy has been revised taking into account changes to taxi licensing legislation and guidance.
- 2.2 Since the last policy was adopted there have been changes in respect of a number of requirements including: immigration and right to work checks, tax checks, safeguarding best practice, Equalities Act, and the introduction of the national standards from the Department of Transport on Statutory Taxi and Private Hire Vehicle Standards.
- 2.3 In particular a number of changes have been included following the introduction of the Department for Transport Statutory Taxi and Private Hire Standards. The Department expects these recommendations to be implemented unless there is a compelling local reason not to.
- 2.4 The Licensing Committee considered these new national standards at their meeting in November 2019 and agreed in principle to adopt the standards. This latest policy now fully incorporates these standards.

- 2.5 Although the revised policy is in a new and different format to the former policy, any significant changes introduced as a result of the above changes has been indicated in red text.

3. CONCLUSION

- 3.1 The updated policy takes into account the latest national position in regard to taxi licensing. The Licensing Committee are asked to approve this draft policy for consultation so that feedback can be considered and incorporated into the final policy as appropriate, prior to final approval by the Licensing Committee.

4. EXPECTED BENEFITS TO THE PARTNERSHIP

- 4.1 Consideration has been given to the taxi licensing policies of Boston and East Lindsey Councils. At this time the policies have some minor inherent historic differences but longer term these will be rationalised through the Partnership and through the national drive to harmonise licensing standards.

5. IMPLICATIONS

5.1 SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

- 5.1.1 None

5.2 CORPORATE PRIORITIES

- 5.2.1 The taxi policy strongly links into the corporate priorities: Your Place; Your Health and Wellbeing; Your Opportunity

5.3 STAFFING

- 5.3.1 Changes to the policy reflect national changes in legislation, guidance and policy. Additional checks on drivers, vehicles and operators are now required which impact on staffing resource. Senior Leadership Team have approved additional resource and recruitment is underway/

5.4 CONSTITUTIONAL AND LEGAL IMPLICATIONS

- 5.4.1 This policy review is within legal and constitutional parameters and the Monitoring Officer has been consulted.

5.5 DATA PROTECTION

- 5.5.1 There are no new data protection implications arising from this policy review. A Data Impact Assessment was carried out in respect of the NR3 National Register of Taxi Licensing Revocations and Refusals

5.6 FINANCIAL

- 5.6.1 Taxi licensing fees are required to be set to recover costs and so fees will be reviewed in due course to ensure that they reflect actual costs to the Council.

5.7 RISK MANAGEMENT

- 5.7.1 None

5.8 STAKEHOLDER / CONSULTATION / TIMESCALES

5.8.1 The draft policy will be published in the licensing section on the Council's website for the duration of the 12 week consultation. All licensed drivers and operators will be contacted regarding the consultation along with other interested parties such as the police, access groups and other organisations.

5.9 REPUTATION

5.9.1 The Council should ensure that they are working towards an up-to-date taxi licensing policy. Failure to do so could lead to reputational risk.

5.10 CONTRACTS

5.10.1 None

5.11 CRIME AND DISORDER

5.11.1 Taxi licensing is governed by legislation which includes some criminal offences for illegal activities. Criminal record checks through the Disclosure and Barring Service (DBS) are also carried out as part of the driver and operator licensing procedure.

5.12 EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

5.12.1 The policy includes a robust approach to safeguarding including ongoing checks on drivers and compulsory training.

5.13 HEALTH AND WELL BEING

5.13.1 None

5.14 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

5.14.1 Vehicle age standards are addressed within this policy which link directly to vehicle emissions. Commitment is provided within this policy to support work to encourage low emission and electric vehicles.

5.15 LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

MISSIONS	
This paper contributes to the follow Missions outlined in the Government's Levelling Up White paper.	
Transport Infrastructure	By 2030, local public transport connectivity across the country will be significantly closer to the standards of London, with improved services, simpler fares and integrated ticketing. The new policy recognises that the taxi trade is an important part of the transport infrastructure.
Pride in Place	By 2030, pride in place, such as people's satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between the top performing and other areas closing. The policy recognises the service that taxis provide to the company and aims to ensure that this is of a high quality, safe and reflects well on the District.
Crime	By 2030, homicide, serious violence, and neighbourhood crime will have fallen, focused on the worst-affected areas. The policy includes robust measures to protect the public and taxi trade against crime.

6. ACRONYMS

6.1 None

APPENDICES

Appendices are listed below and attached to the back of the report: -

APPENDIX A	Draft Revised Taxi and Private Hire Vehicle Licensing Policy
------------	--

BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT

None

REPORT APPROVAL

Report author:	Donna Hall Donna.Hall@sholland.gov.uk
Signed off by:	Christian Allen, Assistant Director Regulatory
Approved for publication:	Portfolio Holder for Public Protection