

BRECKLAND DISTRICT COUNCIL

Report of: Craig Fowler – Environmental Health & Licensing Manager

To: Committee of the Licensing Authority – 21st July 2021

Author: Josie Hoven – Licensing Team Leader

Subject: Revised Taxi Policy and Procedures

Purpose: To review the draft revised Taxi Policy with a view to proceeding with a public consultation on the document for a six week period.

Recommendation(s): That the committee review the revised draft Taxi Policy and Procedures and agree that a public consultation on the document for six weeks.

1.0 BACKGROUND

- 1.1 The Department for Transport (DfT) published its Statutory Taxi and Private Hire Vehicle Standards in July 2020 (copy attached as Appendix A). Licensing authorities must have regard to the standards document when setting and revising their policies. The Government has indicated that authorities are expected to implement the new standards unless there are compelling local reasons not to.
- 1.2 The last full review of the Breckland Hackney Carriage and Private Hire Taxi Policy and Procedures took place in 2006 (with interim changes since then), so a review of the current policy has been taken with the DfT standards being taken into account.
- 1.3 As the authority must have consideration of the standards, a chart has been drawn up showing the changes advised in the DfT standards. This is attached as Appendix B. The chart shows whether we currently meet those standards and whether a change has been implemented in the new policy or not.
- 1.4 The draft revised taxi policy is attached as Appendix B. Currently there are a number of different documents (policy, handbooks, interim changes through committee etc), this policy seeks to have everything in one place in a single document for transparency.
- 1.5 The entire look of the policy has changed. The changes outlined in the chart at 1.3 have been added along with these changes:
- The application and renewal process have been detailed for clarity.
 - The vehicle specification section has been modified for all vehicles rather than separate sections.
 - A diabetes policy has been added to enable officers to grant a licence to an applicant or driver meeting the criteria set out in this section as additional conditions would be applied to the licence.
 - The NR3 policy details have been added. This details how and who will check, use and update the national register of revocations and refusals.
 - The code of good conduct for licensed drivers has been updated to include a dress code, safeguarding training and an annual declaration.
 - The convictions policy has been updated in line with DfT and Institute of Licensing recommendations.

- An intended use policy has been added to enable the licensing department to check that a driver, operator or proprietor intends to work in the Breckland area.
- Private Hire Operator Conditions have been updated in line with the DfT standards.

1.6 It is anticipated that the vehicle specifications section will be reviewed at a later date alongside the Council's Sustainability Strategy to help tackle climate change.

1.7 If the draft revised taxi policy is approved to go out for consultation the expected timeframe is as follows:

21st July 2021 – Committee of the Licensing Committee
Draft revised taxi policy for consideration and approval for consultation.

26th July 2021
Policy out for consultation.

5th September 2021
End of consultation period.

20th October 2021 – Committee of the Licensing Authority
Results of the consultation and any amendments considered for agreement to recommend to full council adoption of the revised policy.

9th December 2021 – Full Council
To recommend adoption of the revised policy.

3rd January 2022
Date the new policy would become effective.

2.0 **OPTIONS**

2.1 Having regard to the all the information provided, members have the option to:

- 2.2
1. Approve the revised taxi policy and agree a public consultation for six weeks.
 2. Make amendments to the revised taxi policy and agree a public consultation for six weeks
 3. Do nothing

3.0 **REASONS FOR RECOMMENDATION(S)**

3.1 The DfT Standards must be considered by the authority and implemented unless there are compelling local reasons not to. Baroness Vere, Parliamentary Under Secretary of State, has advised these standards must be considered by January 2022. The current policy document has been revised alongside the DfT standards and in consultation with the licensing team. To do nothing would leave the Council having to explain to the DfT why none of those standards have been applied and leave us with a policy that is in excess of 14 years old and no longer fit for purpose.

4.0 **EXPECTED BENEFITS**

- 4.1 Breckland is a mainly rural area and the licensed hackney carriage and private hire drivers, and operators provide a vital public service where many people do not have access to other transport provision.

The revised taxi policy will give us a strong framework for making decisions, ensuring that public safety is the primary consideration when licensing individuals, vehicles, operators and proprietors. It will provide us with a fit for purpose document that allows complete transparency on how we operate the taxi licensing function.

5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1 **Carbon Footprint / Environmental Issues**

- 5.1.1 The consultation document will be available on the Council website or emailed to reduce paper and printing.

5.2 **Constitution & Legal**

- 5.2.1 The DfT have set these standards to ensure that the licensing of the taxi trade is dealt with by every licensing authority in a similar manner to standardise the industry. Every licensing authority must have regard to these standards and be able to evidence that they have been considered by the licensing authority and reasons given for any standard not adopted. If the Licensing Authority does not consider these standards we have been advised that action may taken against that Authority.

5.3 **Corporate Priorities**

- 5.3.1 This Policy supports the corporate strategic vision – Breckland: a place where people and business thrive.

5.4 **Equality and Diversity/Human Rights**

- 5.4.1 This policy addresses information sharing and Data Protection and Human Rights.

5.5 **Health and Wellbeing**

- 5.5.1 This policy addresses how children and vulnerable adults should be protected from harm in the safeguarding section.

5.6 **Stakeholders / Consultation / Timescale**

- 5.6.1 Full consultation will be carried out as detailed in this report.

6.0 **WARDS/COMMUNITIES AFFECTED**

- 6.1 The policy applied to all wards.

7.0 **ACRONYMS**

7.1 DfT – Department for Transport

Background papers:- DfT Statutory taxi and private hire vehicle standards
<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>

Current Breckland Taxi Licensing Policy and Procedures:
https://www.breckland.gov.uk/media/1115/Hackney-Carriage-and-Private-Hire-Licensing-Procedures/pdf/Taxi_Licence_Procedures.pdf?m=63717103896153000

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Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix A DfT Statutory and Private Hire Vehicle Standards.
Appendix B Chart showing standards and changes to be implemented.
Appendix C Draft Revised Taxi Policy.