

## BRECKLAND DISTRICT COUNCIL

**Report of:** Shared Public Protection Manager

**To:** Licensing Committee 13<sup>th</sup> November

**Author:** Donna Hall, Licensing and Business Support Manager

**Subject:** Draft Taxi Licensing Policy

**Purpose:** The Committee are asked to consider the draft taxi licensing policy prior to it being published for consultation

### **Recommendation:**

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

### **1.0 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 wholesale review has taken place and a brand 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.

### **2.0 OPTIONS**

- 2.1 Committee approve the proposed draft policy to go out to consultation

2.2 Committee recommend amendments to the draft policy before it goes out to consultation

2.3 Committee do nothing

### 3.0 **REASONS FOR RECOMMENDATION**

3.1 It is strongly recommended that a new taxi policy is adopted to ensure the Council is up to date, transparent and consistent. It is also strongly recommended that a full 12 week consultation is undertaken to ensure that the taxi trade and other interested parties have the opportunity to contribute.

### 4.0 **EXPECTED BENEFITS**

4.1 The new policy takes into account legislation and best practice over a number of areas including public safety and safeguarding, environmental standards, equalities and many other factors.

4.2 Following consultation, it is anticipated that the Council will adopt a new robust policy that will deliver on the above priorities. This should benefit the public, trade, visitors to the area by setting standards for all drivers, vehicles and operators.

### 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**

Environmental standards have been considered in the policy with a view to bringing vehicles gradually into compliance with national standards for emissions. Information on this can be found in Appendix A to the Policy.

#### 5.2 **Constitution & Legal**

The legal team are aware and working alongside officers as part of this policy review.

#### 5.3 **Contracts**

Service level agreements are in place with approved garages for vehicle checks, and these will be consulted as part of the consultation.

#### 5.4 **Corporate Priorities**

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

#### 5.5 **Crime and Disorder**

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.

**5.5 Data Protection**

Data protection has been considered as part of this policy and a data impact assessment has been carried out. Particular consideration has been given to the use of the Institute of Licensing (IOL) National Register of Taxi Licence Refusals and Revocations which is explained in Appendix N to the policy.

**5.6 Equality and Diversity / Human Rights**

The policy has been written to reflect equality and diversity and ensure that relevant aspects of the Equalities Act are complied with by the trade. An equality impact assessment has been carried out.

**5.7 Safeguarding**

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

**5.8 Stakeholders / Consultation / Timescales**

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 directly regarding the consultation along with other interested parties such as the police, access groups and other organisations.

**6.0 WARDS/COMMUNITIES AFFECTED**

6.1 All

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Background papers:-	Taxi and Private Hire Vehicle Licensing: Best Practice Guidance, Department for Transport, 2010
	Guidance on determining the suitability of applicants and licensees in the hackney carriage and private hire trades, Institute of Licensing, April 2018

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**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**

**Appendices attached to this report:**

Appendix A DRAFT Taxi licensing policy and procedures