

BRECKLAND DISTRICT COUNCIL

Report of: Craig Fowler – Environmental Health & Licensing Manager

To: Licensing Committee – 20th October 2021

Author: Josie Hoven – Licensing Team Leader

Subject: Revised Taxi Policy and Procedures

Purpose: To review the responses to the revised Taxi Policy following consultation, agree the revised Taxi Policy and recommend the revised Taxi Policy to Council for adoption.

Recommendation(s): That the Licensing Committee review responses to the draft Taxi Policy and Procedures following public consultation and agree the revised Taxi Policy (with or without further revision) and recommend the final revised Taxi Policy to Council for adoption.

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 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.
- 1.4 The main change has been to the layout of the Taxi Policy and Procedures. The revised policy includes the agreed DfT Standards and some new/updated sections listed below:
- 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.

- 1.5 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.
- 1.6 The revised taxi policy was approved by the Licensing Committee on 21st July to go out for consultation which took place between 26th July and 5th September 2021. All taxi and private hire licence holders and consultees were contacted via email or post. The consultation was also on the Council's website. A series of zoom meetings were offered and held with the trade to explain what changes were being proposed.
- 1.7 There were two responses received to the consultation as follows; -
1. "After reading the document I think I speak for many taxi drivers when the one change that we would like to see is to have tinted rear windows allowed so that we can then purchase better taxis at the moment with very restricted is very hard to get a new car which doesn't come with factory fitted tinted windows"
 2. "I think we should include the criteria on Vehicle Age and Emissions Standards set out on pages 42-44 in the attached minutes from 2019. This will make provision to ensure the vehicles are safe and of a suitable standard for public use".

Attached as Appendix C are pages 42-44 of the report presented to the Licensing Committee on 13th November 2019 referred to in response (2) above.

- 1.8 Both responses received relate to vehicle specifications, the DfT Standards have not included any vehicle specification requirements in the current standards. As stated in 1.6 above it is anticipated that the vehicle specifications section will be reviewed to incorporate both national standards and the Council's sustainability strategy on climate change. It is currently planned to do this in 2022/2023.
- 1.9 The timeframe outlined for implementation of the revised Taxi Policy and Procedures is as follows:
- 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:
1. Approve the revised taxi policy without any changes and recommend the final version to Council for adoption at the Full Council meeting on 9th December for the revised taxi policy to become effective on 3rd January 2022

2. Make amendments to the revised taxi policy and recommend the final version for adoption at the Full Council meeting on 9th December for the revised taxi policy to become effective on 3rd January 2022
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 was 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>

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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 Revised Taxi Policy.