

LICENSING COMMITTEE

Private Hire and Hackney Carriage Licensing Policy – Review and Updates

27 June 2024

Report of Licensing Manager

PURPOSE OF REPORT

The Private Hire and Hackney Carriage Licensing Policy was introduced on 1 April 2022, as the policy has been in place for 2 years it is necessary to update and review its content. Furthermore, members are required to address some of the feedback from the local licensed trade and/or Licensing Service following implementation of the standards contained in the policy.

This report is public.

RECOMMENDATIONS

- (1) That members of Licensing Committee consider the updates required in the report and authorise the Licensing Manager to make necessary changes to content/wording.
- (2) Consider the options set out in the report and determine the changes required highlighted in the policy.

1.0 Introduction

- 1.1 Members may recall that in July 2020, the Department for Transport (DfT) published its “Statutory Taxi and Private Hire Vehicle Standards”. These published standards are statutory standards to which local authorities must have regard. Lancaster City Council already met several requirements of the DfT standards, but other aspects of local licensing standards did require further development.
- 1.2 The need to update and develop some of the Councils licensing standards was identified in the 2020 licensing workplan. In light of the updates required and the published DfT standards it was felt necessary to consolidate existing standards, policies and procedures into one document, suitable for applicants, officers, members and the wider public. This was the first time that the Council had attempted to provide a single document containing all policies and procedures relevant to the hackney carriage and private hire licensing process.
- 1.3 Following a 12-week public consultation, members of Licensing Committee considered responses to an online questionnaire and written submissions before making a recommendation to Full Council for adoption of the final draft policy.

1.4 Since its implementation (1st April 2022) the policy has been used as a basis for all decision-making in respect of private hire and hackney carriage licensing matters. It has been an exceptional reference tool for Officers and provided a single reference document of reference and signpost for new applicants those already licensed.

1.5 The Private Hire and Hackney Carriage Licensing Policy is attached at **Appendix 1**.

2.0 Proposal Details

2.1 Since implementation of the Private Hire and Hackney Carriage Licensing Policy, some application standards, processes, and legal position has changed regarding driver, vehicle and operator licensing. Furthermore, in November 2023, the Department for Transport (DfT) updated the statutory "Taxi and Private Hire Vehicle Licensing best practice guidance for Licensing Authorities in England".

The updated guidance is attached at **Appendix 2** for members attention.

2.2 In light of the updates to statutory guidance and changes to application procedures, processes, and standards, it is necessary to review the content of the policy, including re-wording of relevant sections. E.g. Disclosure and barring certificate application and interim checks are now undertaken by a third-party, the policy needs to accurately reflect the process. Additionally, due to feedback from the local licensed trade or noted by Officers some policy specifications or standards require review by elected members. E.g. Emission aspirations of licensed fleet.

2.3 The table attached at **Appendix 3** highlights the updates required in terms of amendments to wording and sets out considerations for discussion and determination by the Licensing Committee.

3.0 Details of Consultation

3.1 Members may wish to obtain the views the licensed trade and/or public prior to consideration of any contentious/significant matters. It is suggested an online questionnaire would be most appropriate. It could be sent directly to all licensed drivers, vehicle proprietors and private hire operators as well as the wider public.

4.0 Options

Options available to members:

- a) Consider the updates required in the report and authorise the Licensing Manager to make necessary changes to content/wording as set out in **Appendix 3**.
- b) Determine the matters as set out in **Appendix 3**, amending policy and standards as required, whilst considering feedback from the licensed trade and Licensing Manager.

5.0 Conclusion

5.1 The Private Hire and Hackney Carriage Licensing Policy has been in force for 2 years. It brought together existing policies and procedures into a single document, that can be used by Officers, members and service users as a reference point for all matters in relation to private hire and hackney carriage licensing. It has been necessary to review the policy in light of updates to internal processes, application

standards and align content with updated guidance (Taxi and Private Hire Vehicle Licensing best practice guidance for Licensing Authorities in England).

5.2 Members are reminded that the content of the policy was motivated by the need to ensure that the primary and overriding objective of the Councils licensing policies in protecting the public, is promoted. When reaching decisions on matters to be determined in the licensing policy, public safety should be at the forefront of all decision-making and of paramount importance.

5.3 Members should provide full and detailed reasons for their decisions.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

The overriding consideration when considering policy matters in relation to taxi and private hire licensing is public safety in its widest context.

LEGAL IMPLICATIONS

Should any person wish to challenge any decision taken or policy matter set by the Councils Licensing Committee, their appeal rights are protected dependent on the subject matter and reasoning.

FINANCIAL IMPLICATIONS

None identified.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

Not applicable.

SECTION 151 OFFICER'S COMMENTS

None.

MONITORING OFFICER'S COMMENTS

None.

BACKGROUND PAPERS

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