

LICENSING COMMITTEE

Progress update re implementation of Department for Transport Statutory Taxi and Private Hire Vehicle Standards

18 March 2021

Report of Licensing Manager

PURPOSE OF REPORT

To provide the Committee with an update on progress regarding the implementation of standards outlined in the Department for Transport (DfT) "Statutory Taxi and Private Hire Vehicle Standards",

The report is public

RECOMMENDATIONS,

- (1) That the Committee considers and notes the report and action plan update attached at Appendix A
- (2) That updated reports of progress continue to be presented to the Committee at 4 monthly intervals.
- (3) That officers be advised of any additional actions required by the Committee in terms of compliance with the DfT Statutory Taxi and Private Hire Vehicle Standards

1.0 Introduction

- 1.1 The Committee has previously considered two reports in relation to the Department for Transport statutory Standards. A report brought before the committee on 27 August 2020 introduced the standards detailing that a further report was to follow. At the Committee meeting on 8 October a further report was considered including an appendix which outlined the key standards and actions required in respect of each chapter of the Department for Transport Statutory Taxi and Private Hire Vehicle Standards
- 1.2 A recommendation of the 8 October was that an update progress report be brought back to the committee in 4 months.

2.0 Report

- 2.1 This report provides an update to the committee in respect of the actions taken regarding progress in consideration of the DfT publication “Statutory Taxi and Private Hire Vehicle Standards”.
- 2.2 The DfT requires regular updates from Local Authorities regarding progress on implementation of the standards. In January 2021, an update report was provided to the DfT by the City Council.
- 2.3 An additional temporary part time staff resource has been used to develop a comprehensive first draft taxi policy which brings together licencing practice and procedures and where necessary further develops these to reflect the standards aspired to in the DfT Statutory Standards document.
- 2.4 The DfT Statutory Standards are very clear that the primary and overriding objective of a local authority’s taxi policy must be the protection of the public. The proposed draft taxi licensing policy has been developed in line with this but also seeks to protect the safety of licensed drivers
- 2.5 Appendix A replicates an appendix in the report considered by this committee on the 8 October 2020. The appendix has been further updated to include the actions and progress that has been made since Oct 2020.
- 2.6 A proposed draft taxi policy has been devised and is the subject of a separate report within the agenda of this meeting.

3.0 Conclusion

- 3.1 The Council have considered the DfT Statutory standards in the continued development of its first comprehensive taxi licensing policy.
- 3.2 The Licensing team is continuing to adapt operational working practices not only to reflect requirements of the DfT, but the changes required because of the public safety issues arising from the pandemic.
- 3.3 The pandemic continues to create a degree of uncertainty as to how quickly work can be undertaken and finalised in respect of changes required. The proposal to provide 4 monthly updates to committee ensures that members are kept informed of progress and similarly the DfT can also see the progress that is being made.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):
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There are no impact assessments associated with this report, any amendments to existing polices will be subject to relevant impact assessments
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LEGAL IMPLICATIONS

The Statutory Taxi and Private Hire Vehicle Standards are not legislation. However para 1.3

of the Standards states- The Department (for Transport) expects these recommendations to be implemented unless there is compelling local reason not to

The document makes it clear that the standards have been developed as a result of past failings of licensing regimes and makes reference to both Jay and Casey reports and lists several local authorities where taxi licensing policy and practice had failed to offer the necessary protection to children.

The duty is a “have regard” duty. This means that the Council must take the standards into account and must give clear reasons for departing from them

FINANCIAL IMPLICATIONS

There are no financial implications in respect to this report , however compliance with the DfT standards will require a significant amount of officer time and may result in policies and practices that incur additional costs to the licensing regime e.g. additional training for officers and members.

There is also the potential for challenges by the trade to any change in policy that are brought in and if so, this may incur legal costs to defend any such challenge.
Any additional costs associated with the administration and enforcement of the taxi licencing regime can be recovered via taxi licensing fees.

There will likely be additional financial cost to the taxi trade, this could include additional indirect costs of recovering the Councils administrative costs, and direct costs associated with any possible change in policy e.g additional training/CCTV etc

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

BACKGROUND PAPERS

Report to licensing Committee 27 August 2020, 8 October 2020

Contact Officer: Jennifer Curtis

Telephone: 01524 582732

Email: jcurtis@lancaster.co.uk

Ref: JC