

Report to: **Licensing and Enforcement Committee**

Date of Meeting: 16 October 2019

Public Document: Yes

Exemption: None



Agenda item: 9

Subject: **Taxi Licensing Policy – To seek approval to revise the policy on points of relevance namely to revise the current policy requirement for Hackney and Private Hire Vehicles licensed by East Devon District Council with regard to engine capacity.**

Purpose of report: To revise the current taxi policy in line with recent developments and green priorities to remove the minimum engine capacity requirement for Ultra Low and Zero Emission Vehicles.

Recommendation: **To recommend to Council meeting on 23 October 2019 to adopt the revised Taxi Policy following approval by the Licensing and Enforcement Committee on 16 October 2019**

Reason for recommendation: To revise existing Taxi Policy in line with a recent licensing developments that supports licensing of Ultra Low and Zero Emission vehicles

Officer: Steve Saunders, Licensing Manager

Financial implications: None

Legal implications: The legal implications are explained within the body of the report.

Equalities impact: Low Impact

Risk: Low Risk

Appendices:

Appendix A - Amendments made to the Taxi Policy

Background Papers:

Eastdevon.gov.uk/Taxi Policy

Link to Council Plan: Living in, working in, enjoying and funding this outstanding place

1 Background

1.1 The licensing of hackney carriage drivers is the responsibility of the council and is governed mainly by legislation under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

1.2 A Hackney Carriage and Private Hire Licensing Policy is not a statutory policy. This means that there is no requirement for the Council to adopt one, although it is good practice to do so as it sets out the Council's approach to issuing licences and enforcement. Decisions made in accordance with the policy are more likely to be upheld in the event of an appeal.

A good policy ensures consistency of approach by the council thus ensuring fairness and transparency for both the trade and public alike.

- 1.3 A comprehensive review was completed by this authority in 2016 to consolidate national and previous policy documents allowing the current Taxi Licensing Policy to be introduced in 2017. It was acknowledged that subsequent changes in legislation and national procedures occurring after the policy was adopted would require inclusion in the document.
- 1.4 The introduction of the current Taxi Licensing Policy required a full consultation over a period of eight weeks before being adopted. However legislative changes can occur on occasions that require policies to be revised accordingly together with relating to good practice. Changes in legislation, local or nationally recommended procedures will not always require consultation through reasons of necessity to maintain standards and legal requirements.

2 Current Policy

- 2.1 In July 2017 the Council's Taxi and Private Hire Vehicle policy specifies that on initial licensing as a private hire vehicle a vehicle shall not be less than 1000cc. The engine capacity was specified in relation to petrol and diesel powered vehicles. This is a policy agreed by members following, as in all cases of policy, consultation with the trade (Sec 11.2.5).
- 2.2 The continuing requirement that all vehicles meet a minimum engine capacity requirement of 1000c will automatically bar vehicles that are electrically powered with Ultra-Low or Zero carbon emissions. Whilst the current policy specifies the Council will give "special consideration" to such vehicles, it is necessary to revise this section of the policy as the engine specification does not allow determination by officers until further revision to the policy.
- 2.3 The new Council at East Devon has identified climate change as being a priority and will be reflected in the new Council Plan in conjunction with delivering greener policies as a priority. The intention to licence taxi and private hire vehicles with low or zero emissions is driven by central Government with further changes imminent to include collection of data regarding emissions for all taxis and private hire vehicles.

3 Proposed Policy change

- 3.1 The proposed change is not regarded necessary for wider consultation although this will always be a consideration for the licensing authority when considering changes. Removal of minimum engine specifications for Ultra-Low or Zero emission vehicle is necessary whilst maintaining the current standard in relation to petrol, diesel and diesel hybrid vehicles.
- 3.2 The wording of proposed changes in policy, with amendments shown in red font, can be found in **Appendix A**.
- 3.3 Should members consider approving the revision to the current taxi policy it would be the necessary that the changes be referred to Council to fully adopt the policy change.