

Report to: **Licensing and Enforcement Committee**

Date of Meeting: 20 February 2019

Public Document: Yes

Exemption: None



Agenda item: 10

Subject: **Committee update – National Consultation on Statutory Guidance for Licensing Authorities “Taxi and Private Hire Vehicle Licensing: Protecting Users.”**

Purpose of report: The report provides an update on the consultation commencing in February and ending on 22 April 2019

Recommendation: **That the report be noted**

Reason for recommendation: To keep the Council’s statutory committee up to date with national developments relating to Taxi and Private Hire Licensing

Officer: Steve Saunders, Licensing Manager

Financial implications: None

Legal implications: There are no legal implications currently identified.

Equalities impact: Low Impact

Risk: Low Risk

Background Papers:

LGA Councillors Handbook ‘Taxi and PHV Licensing’

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

1 Background

1.1 At the meeting of this committee in August 2016, members were informed of LGA guidance for councillors entitled ‘Taxi and PHV Licensing’ which provides the framework and standards for licensing authorities with regard to Taxi and Private Hire driver licensing. The standards and guidance places protection of the public as being of paramount importance and all councils are expected to have safety measures within their policies.

1.2 This Council’s current Taxi Licensing Policy was approved in 2017 following a comprehensive review and full public consultation consolidating previous policies, national best practice and guidance issued by the Department for Transport (DoT). When setting out this policy, the Council placed the protection of public safety as its key priority.

2 **National Consultation 2019**

- 2.1 The DoT announced this month it is seeking views on proposed recommendations contained in draft statutory guidance to taxi and private hire vehicle (PHV) licensing authorities on how their licensing powers can be exercised in order to safeguard children and vulnerable adults. The consultation has been drawn to the specific attention of the National Police Chiefs' Council, the Local Government Association, the National Association of Licensing Enforcement Officers, the Institute of Licensing, and a range of trade representative bodies and publications of which the Department is aware across the country. It is a public consultation and the DoT is also keen to hear from groups or individuals with an interest.
- 2.2 The consultation is regarded as a positive development and follows the government issuing its response to the report of the Task and Finish Group on taxi and private hire vehicle licensing. The draft statutory guidance proposed a range of robust measures to protect taxi and PHV passengers, particularly those most vulnerable. Government and licensing authorities are required to work together to ensure that, above all else, the taxi and PHV services the public use are safe. The consultation on this guidance will commenced on 12 February and will run until 22 April 2019.
- 2.3 The consultation document can be read through this link:
<https://www.gov.uk/government/consultations/taxi-and-private-hire-vehicle-licensing-protecting-users>
- 2.4 To read the Government's response to the report of the Task and Finish Group on taxi and private hire vehicle licensing: <https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-government-response-to-independent-report>

3 Future Consideration

- 3.1 It is reported that Government will, when time allows bring forward legislation to introduce national minimum standards for taxi and PHV licensing, reinforcing consistently high standards that the statutory guidance will bring to the sector. This is being proposed to ensure that drivers are under the same level of scrutiny when operating away from their licensing area to enable enforcement and compliance checks to be conducted by any licensing officer against any vehicle regardless of where they have been licensed.
- 3.2 Members will be aware that this Council experienced recent challenges and was prepared to take regulatory action through revoking the licence of a taxi driver who was operating in another licensing district last year. This licensing authority readily accepts the need to consider and take appropriate action to protect the public. The introduction of this Council's Taxi Policy together with Safeguarding Awareness measures that are planned further reinforce the standards that are expected nationally.
- 3.3 Underpinning these measures at some stage will also see the introduction of a national licensing database to assist the sharing of relevant information between licensing authorities and other bodies necessary to ensure that all those in the trade are 'fit and proper' and warrant the trust that is placed in them by the public.
- 3.4 Officers will provide further information upon the outcome and conclusion of the consultation when this committee next meets.