

Item

## REVIEW AND UPDATE OF THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY

**To:**

Licensing Committee

**Report by:**

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**Wards affected:**

All

### 1. Executive Summary

- 1.1 Under the powers conferred to Cambridge City Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended), Cambridge City Council has responsibility for licensing Hackney Carriage, Private Hire and Dual Licence Drivers as well as vehicle proprietors and Private Hire Operators within the City.
- 1.2 The Hackney Carriage and Private Hire Licensing policy (the 'policy') was produced in order to provide the Council, its officers, the trade and the public with appropriate guidelines that put the Council's licensing requirements into practice in a clear and transparent manner.
- 1.3 The current Hackney Carriage & Private Hire Licensing Policy (the 'policy') applies to all drivers, vehicles and operators and was last updated in October 2017.

- 1.4 Subsequent feedback from the trade, and also from officers when imparting information, has highlighted a requirement to review and update minor elements of the policy in order to make specific items clear and understandable.
- 1.5 Officers have reviewed the feedback and have considered the proposed updates, in line with the taxi licensing policy of South Cambridgeshire District Council in order to seek opportunity where the policies can be harmonised.
- 1.6 Members are now requested to review the updated draft policy and determine what, if any, changes should be made to the policy.

## **2. Recommendations**

- 2.1 Members of the Licensing Committee are recommended to consider whether or not the following proposed changes are to be made to the Hackney Carriage and Private Hire Licensing Policy:
  - 2.1.1 To stipulate the prohibition of licensing Hackney Carriage or Private Hire Vehicles that are also licensed with other authorities.
  - 2.1.2 To clarify the existing condition relating to licensed Private Hire Vehicle door signs to state that the vehicle must display on the driver and front passenger door, in a prominent position, the name and contact information of the Operator fulfilling the booking.
  - 2.1.3 To reduce the number of Knowledge Test attempts that a new driver applicant can undertake from 4 to 3 so that it aligns with the existing 3 attempts of the Safeguarding Awareness Tests for existing licence holders.

## **3. Background**

- 3.1 Cambridge City Council has responsibility for licensing Hackney Carriage, Private Hire and Dual Licence Drivers as well as vehicle proprietors and Private Hire Operators within the City.

- 3.2 In doing so, Cambridge City Council seeks to promote the following objectives that impact on the Hackney Carriage and Private Hire trades:
- i) The protection of the public;
  - ii) The establishment of professional and respected hackney carriage and private hire trades;
  - iii) Access to an efficient and effective public transport service; and
  - iv) The protection of the environment
- 3.3 Under the powers conferred to Cambridge City Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended), the Hackney Carriage and Private Hire Licensing policy document (the 'policy') was produced in order to provide the Council, and Council Officers, who are required to administer the licensing function, with appropriate guidelines within which to act <https://www.cambridge.gov.uk/sites/default/files/hackney-carriage-and-private-hire-licensing-policy.pdf>
- 3.4 The policy is designed to put the Council's licensing requirements into practice and assist in the delivery of a transparent, accountable and efficient licensing service. It additionally, assists in ensuring that both the trade and the public have a document that fully explains the licensing procedures to all parties in a clear and transparent manner.
- 3.5 The Hackney Carriage & Private Hire Licensing Policy was last updated in October 2017.
- 3.6 Since this time feedback from the trade, along with comments from officers when undertaking their duties, has highlighted a requirement for a 'light touch' review and update.
- 3.7 In order to clarify some elements of the policy, and also to make some areas clearer, more understandable and efficient; officers have considered the proposed updates, in line with the taxi licensing policy of

South Cambridgeshire District Council to seek opportunity where the policies can be harmonised.

- 3.8 To stipulate the prohibition of licensing Hackney Carriage or Private Hire Vehicles that are also licensed with other authorities.
- i) Our current policy does not state that a vehicle cannot be licensed with another authority, the conditions attached to vehicle licences state that licence plates must be fixed to the (front and) rear of the vehicle.
  - ii) Public Safety is of paramount importance and within the scope of Taxi Licensing legislation, Cambridge City Council ensures that all vehicles are safe and suitable to be licensed. This is undertaken by mechanical fitness testing of the vehicle, adherence to the age and vehicle specification, training for proprietors and a robust enforcement management system.
  - iii) In order for the City Council to maintain control of the vehicles licensed and, in turn, the safety of the public it is proposed that the City Council will not grant a Hackney Carriage or Private Hire Vehicle Licence for any vehicle already licensed by another authority.
  - iv) The policy should be amended as described in section 12 (extract available at Appendix A) to detail that obtaining a vehicle licence from any other authority automatically invalidates any vehicle licence issued by Cambridge City Council.
  - v) Furthermore, the handbook (extract available at Appendix B) should quantify in Part , Section 18 that no vehicle will be granted a licence if it is licensed by another authority due to the difficulties of meeting the variance of conditions applied in different districts and the enforcement of those conditions in the cases of non-compliance (i.e. signs, meters, suspensions or revocations).
- 3.9 Clarification of the existing condition to state that every Private Hire Vehicle must display on the driver and front passenger door, in a prominent position, the name and contact information of the Operator fulfilling the booking.

- i) Currently, the existing condition states that “*All Private Hire Vehicles must have displayed on their door sign in 1” lettering the words: ‘Private Hire Vehicle – Pre Booked Only’*”.
- ii) There is no specification for the sign to detail which Operator the vehicle is currently working for.
- iii) The policy should be amended as described in section 18 (extract available at Appendix B) to state that licensed Private Hire Vehicles must display on the driver and front passenger door, in a prominent position, the name and contact information of the Operator fulfilling the booking.
- iv) It is worth noting that this condition is applicable and enforced also by South Cambridgeshire District Council and the Private Hire Vehicles that are licensed within that authority.
- v) In addition to this, the condition that is detailed in Appendix B of the Handbook should be revised (as above in iii)) to ensure that it is clear.
- vi) In clarifying this condition, the impact will be positive for the general public and also the trade so that along with vehicles being easily identifiable; should there be any concerns or complaints it can be tracked to the Operator fulfilling the booking. This will also give peace of mind to the public being conveyed in the vehicles.

3.10 To reduce the number of Knowledge Test attempts that a new driver applicant can undertake from 4 down to 3 so that it aligns with the existing 3 attempts of the Safeguarding Awareness Tests for existing licence holders.

- i) The current policy states that in order to commence the new driver application process, an applicant must first register and pass the Knowledge Test and that the test can only be attempted four times within twelve months.
- ii) New applicants must also attend and pass the mandatory safeguarding training. The enforcement management system states that there is a penalty if a licence applicant fails the initial safeguarding training on three occasions.

- iii) The policy should be amended as described in section 39 (extract available at Appendix B) to state that the Knowledge Test can only be attempted three times within 12 months.
- iv) The handbook should be amended also to reflect this change in section 20 (extract available at Appendix B).
- v) In aligning these two elements of the application process it will make the system easier for applicants and also for officers to administer.

3.11 Members are now required to review these items and determine whether what, if any changes, should be made to the Hackney Carriage & Private Hire Licensing Policy.

## **4. Implications**

### **(a) Financial Implications**

Nil.

### **(b) Staffing Implications**

Nil.

### **(c) Equality and Poverty Implications**

An Equality Impact Assessment has not yet been undertaken but will be carried out on the reviewed policy after the consultation process has been completed and prior to any changes to the policy being formally adopted.

### **(d) Environmental Implications**

Nil.

### **(e) Procurement Implications**

Nil.

### **(f) Community Safety Implications**

Cambridge City Council has a duty to provide a safe and secure taxi service. The Council has a responsibility to review, consult and publish the Hackney Carriage and Private Hire Licensing Policy on a regular basis, or it could be believed that the Authority's policy is not sound.

## **5. Consultation and communication considerations**

- 5.1 Whilst there has not been a formal consultation on these matters, the items have been discussed at the taxi trade forum meeting on 6<sup>th</sup> April 2018 (Appendix C).

## **6. Background papers**

Background papers used in the preparation of this report:

- (a) Cambridge City Council's Hackney Carriage & Private Hire Taxi Policy  
<https://www.cambridge.gov.uk/sites/default/files/hackney-carriage-and-private-hire-licensing-policy.pdf>
- (b) Cambridge City Council's Hackney Carriage & Private Hire Handbook  
[https://www.cambridge.gov.uk/sites/default/files/handbook\\_december\\_2017\\_1.11.pdf](https://www.cambridge.gov.uk/sites/default/files/handbook_december_2017_1.11.pdf)

## **7. Appendices**

Appendix A – Draft Extract of Hackney Carriage & Private Hire Licensing Policy.

Appendix B – Draft Extracts of Hackney Carriage & Private Hire Licensing Handbook.

Appendix C – Minutes of Taxi Trade Forum Meeting, 6<sup>th</sup> April 2018.

## **9. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

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