



Item

REVIEW AND UPDATE OF HACKNEY CARRIAGE AND PRIVATE HIRE TAXI LICENSING POLICY

To:

Licensing Committee 08/07/2019

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. In exercising its discretion in carrying out its regulatory functions, the Council shall have regard to the Hackney Carriage and Private Hire Licensing policy document.

1.3 The current Hackney Carriage & Private Hire Licensing Policy applies to all drivers, vehicles and operators and was last updated in October 2018.

<https://www.cambridge.gov.uk/media/5431/hackney-carriage-and-private-hire-licensing-policy.pdf>

1.4 A request for the consideration of Mandatory card payments, came from trade. (Appendix A).

1.5 At Full Licensing Committee on 28 January 2019, Members agreed for a public consultation to be undertaken on the existing Hackney Carriage and Private Hire Licensing Policy, Consultation document can be found in Appendix B. There were two items considered in consultation, these included the addition of a mandatory requirement for all Hackney Vehicles or Private Hire, or both Hackney Vehicles, Private Hire to carry card payment method to accept debit/credit card payments, and the addition of information regarding the NR3 database and data sharing arrangements into current Policy.

1.6 The Consultation took place from 4 February 2019 until 10 March 2019, responses of which can be found in Appendix C.

1.7 Members are now requested to review responses received during public consultation and determine if one, there should be a mandatory requirement for Hackney Vehicles or Private Hire, or both Hackney Vehicles, Private Hire to carry card payment method to accept debit/credit card payments, and secondly the addition of information on NR3 to be added to policy.

1.8 Members are also requested to consider timescale for implementation.

2. Recommendations

2.1 Members of the Licensing Committee are recommended to consider the responses received from the consultation (Appendix C) and agree;

2.1.1 The mandatory requirement of card payment methods to be applicable for both Hackney and Private hire vehicles.

2.1.2 The addition of NR3 information.

2.2 Members are recommended to consider and agree the following proposed implementation plan.

2.2.1 The installation of payment card machine will need to be in place at the next vehicle Certificate of Compliance, as of 12 August 2019.

2.2.1 Changes in the Policy in relation to NR3 with immediate effect.

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.
- 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 2018 (Appendix D).

National Register of Refusals and Revocations

- 3.8 The Local Government Association (LGA) recently launched a national register of hackney carriage and private hire licence refusals and revocations called NR3, which is being introduced within the National Anti-Fraud Network. It is a shared service that allows Licensing Authorities to share information about revocations and refusals.
- 3.6 Cambridge City Council has committed to participating in this register and will be searching the database for all relevant new and renewal applications, as part of our routine checks to ensure the fitness and propriety of applicants.
- 3.7 Additionally, all past relevant revocations and refusals have now been uploaded to the database so that other Licensing Authorities can have access to this information.

- 3.8 The specific details contained on the register are limited to information that will help to identify an individual, but it does not give a reason why actions were taken.
- 3.9 In order to ensure that all drivers are aware of this database, and the details it holds regarding refusals and revocations, amendments have been made to various processes and documents updated. This includes amendments to application forms, our website, Sub-Committee Hearing documentation and the Hackney Carriage and Private Hire Taxi Handbook.
- 3.10 It is also proposed to amend the existing policy section entitled 'Information and Data Sharing' to include relevant details regarding the database, and details of the type of data held (section 62, Appendix E).
- 3.11 All actions taken and information shared is in accordance with our data handling policies.

Compulsory Card Payment Methods

- 3.12 The Trade has made a request to require all Hackney Carriage and Private Hire vehicles to carry a card payment method and accept debit/credit card payments.
- 3.13 It is proposed that such methods may include traditional card payment machines, but additionally other methods such as mobile payment applications within mobile phones.
- 3.14 Making card payment methods mandatory, gives customers options and more flexibility.

4 Implications

a) Financial Implications

Costs for the purchase of Card Payment methods will be borne by proprietors.

b) Staffing Implications

Existing staff resources will absorb the review of the policy, along with any changes arising from the review.

c) Equality and Poverty Implications

Nil.

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 Consultation was held from Monday 4 February 2019 to 10 March 2019.

5.2 The consultation was advertised through a variety of means including

- Email to license holders;
- Taxi Trade Forum – 15 February 2019;
- E-mail to the trade and Key stakeholders; and
- Publication on the City Council website.

5.3 Consultation document can be found on as (Appendix B)

5.4 All feedback was encouraged from license holders, taxi trade and key stake holder. All comments are to be considered as part of the review and in preparation of the final policy document (Appendix E)

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/media/5431/hackney-carriage-and-private-hire-licensing-policy.pdf>
- (b) Cambridge City Council's Hackney Carriage & Private Hire Handbook
<https://www.cambridge.gov.uk/media/6738/hackney-carriage-and-private-hire-handbook.pdf>
- (c) Cambridge City Council's Register of taxi license refusals and revocations
<https://www.cambridge.gov.uk/register-of-taxi-licence-refusals-and-revocations>

7 Appendices

Appendix A – E-mail from CCLT

Appendix B – Consultation document

Appendix C - Consultation responses

Appendix D - Current Hackney Carriage and Private hire Licensing policy

Appendix E – Proposed Hackney Carriage and Private hire Licensing policy

8 Inspection of papers

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

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