

Item.



Statutory Taxi & Private Hire Vehicle Standards

To:

Licensing Committee [25/01/2021]

Report by:

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Wards affected:

All

1. Introduction / 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 Licensing Authority seeks to carry out its licensing functions with a view to promoting the following objectives:
 - i) The safety and protection of the public;
 - ii) Vehicle safety, comfort and access;

- iii) The prevention of crime and disorder
- iv) The promotion of environmental sustainability
- v) Protection of children and adults at risk from harm

1.3. As a Licensing Authority, Cambridge City Council ensure all licensing activities are carried out in line with its policies.

1.4. 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.

1.5. The aim of the Policy is primarily to protect the public as well as to ensure that all the above objectives are met.

1.6. The current Hackney Carriage & Private Hire Licensing Policy applies to all drivers, vehicles and operators and was last updated in October 2019.

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

2. Recommendations

- 2.1. Members are recommended to approve the new standards, as written as new licence conditions, policy requirements and procedures. Described in proposed changes in Appendix A and Appendix C.
- 2.2. Members are recommended to approve the proposed implementation time scales, as detailed in Appendix C.
- 2.3. Members are recommended to approve that the new standards as written as new licence conditions, policy requirements and procedures be added to the Hackney Carriage and Private Hire Policy, and published by 5th February 2021.

3. Background

- 3.1. In July 2020 the Department for Transport (DfT) published its '[Statutory Taxi & Private Hire Vehicle Standards](#)' guidance document. The recommendations contained within replace the relevant sections of the DfT's '[Best Practice Guidance](#)' issued in 2010. The DfT has advised licensing authorities to publish their consideration of the new 'Standards' by the end of January 2021 in the interests of transparency.
- 3.2. The DfT has outlined that there is evidence to support the view that taxis and private hire vehicles are a high-risk environment in terms of risk to passengers; this can be seen in the abuse and exploitation of children and adults at risk from harm facilitated, and, in some cases, perpetrated by the trade. Links between the trade and child sexual exploitation have been established in many areas across the country. Data on reported sexual assaults by taxi and private hire vehicle drivers evidence the risk to passengers: data from the areas of Greater Manchester and Merseyside suggest that, if similar offence patterns are applied across England, 623 sexual assaults per year are reported.
- 3.3. The Policing Act 2017 enables the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and adults at risk from harm when using such services. The 'Standards' document sets out a framework of policies that licensing authorities must have regard to when exercising their functions. Given that the standards have been set directly to address the safeguarding of the public and the potential impact of failings in this area, the importance of thoroughly considering these standards cannot be overstated.

- 3.4. Whilst the focus on the standards is on protecting children and adults at risk from harm, all passengers will benefit from the recommendations contained within it.
- 3.5. There is consensus that common core minimum standards are required to better regulate the taxi and private hire vehicle sector, and the recommendations contained in the document are the result of detailed discussion with the trade, regulators and safety campaign groups. Whilst the new 'Standards' are guidance and not compulsory, the DfT expects the recommendations laid out to be implemented by licensing authorities unless there is a compelling local reason not to do so.
- 3.6. In response to the DfT standards guidance, Cambridge City Council licensing team looked to identify areas within the guidance that differed from its current policy and procedures. It was identified that many standards suggested by the DfT were already within Cambridge City Councils policy and only few changes were required to be completed.
- 3.7. A total of 13 standards were identified (Appendix A), in which Cambridge City Council would need to consider adopting to meet the DfT standards.
- 3.8. A consultation was held from 4th November 2020 to 30 December 2020, requesting feedback from members of the trade, stakeholders and members of the public regarding the proposed changes to policy, conditions and procedures.
- 3.9. On closure of the consultation, all comments and survey results were considered by Environmental Health Manager and Environmental Health and Licensing Support Team Leader. Comments received and results presented, did not provide a compelling or strong reason as to why Cambridge City Council should not implement the proposed changes, following the recommendations laid out by the DfT.

4. Implications

a) Financial Implications

Nil.

b) Staffing Implications

Existing staff resources will absorb the required work required to ensure policy document and handbook is updated. In addition to ensuring new conditions and standards are implemented.

c) Equality and Poverty Implications

Nil.

d) Environmental Implications

Nil.

e) Procurement Implications

Nil.

f) Community Safety Implications

Increased measures within the trade to promote the safety and protection of the public.

5. Consultation and communication considerations

- 5.1. The DfT has advised licensing authorities to consult on any proposed changes to licensing rules that may have significant impacts on passengers and/or the trade.
- 5.2. Consultation was held from 4th November 2020 to 30 December 2020.
- 5.3. The consultation was advertised through a variety of means including;
 - Email to license holders;
 - Taxi Trade Forum – 27 November 2020;
 - E-mail to the trade and Key stakeholders; and
 - Publication on the City Council website.
- 5.4. Consultation could be completed via word document or via online survey platform.
- 5.5. Consultation document can be found on as (Appendix A)
- 5.6. All feedback was encouraged from license holders, taxi trade and key stake holder. Survey results are detailed in Appendix C.

5.7. A total of 28 survey responses were received via online survey platform.

5.8. Results for 12 out of 13 proposed changes, received greater number of respondents agreeing with change.

6. Background papers

Background papers used in the preparation of this report:

- a) Hackney Carriage and Private Hire Licensing Policy
- b) Statutory Taxi & Private Hire Vehicle Standards 2020
- c) Best Practice Guidance 2010

7. Appendices

- a) Appendix A – Consultation Document
- b) Appendix B - Statutory Taxi & Private Hire Vehicle Standards’ – survey
- c) Appendix C –Survey responses and suggested implementation timescales.

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Wangari Njiiri , Environmental Health and Licensing Support Team Leader, tel: 01223 - 458533, email: wangari.njiiri@cambridge.gov.uk.