

Changes to Hackney Carriage and Private Hire Licensing Policy

To:

Licensing Committee – 16th September 2024

Report by:

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Wards affected:

All

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| 1. | Recommendations |
| 1.1 | <p>It is recommended that members of the Licensing Committee:</p> <ol style="list-style-type: none"> 1. Approve the minor changes made to the Policy as per the tracked changes in Appendix 1. 2. Agree for officers to go out to consult on the proposed changes to the Policy as detailed in Appendix 2. |
| 2. | Purpose and reason for the report |
| 2.1 | <p>In November 2023, the Department for Transport issued the "Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England". This guidance has led to a review of Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy and the changes that have been detailed in the report. The Guidance has been attached to this report as Appendix 3.</p> |
| 3. | Alternative options considered |
| 3.1 | <p>If changes were not made to the Policy, the changes in the November 2023 guidance would not be followed.</p> |
| 4. | Background and key issues |

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| 4.1 | The "Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England", which was issued in November 2023 has been reviewed by officers and whilst looking at the changes suggested, it was decided the Hackney Carriage and Private Hire Licensing Policy should be reviewed. |
| 4.2 | As part of the review, 21 minor changes have been made to the Policy. These can be viewed as tracked changes in Appendix 1. |
| 4.3 | They have been classed as minor changes as they are not believed to impact on the taxi trade or the public. |
| 4.4 | Section 44 on Change of Circumstances has been added to make it clearer for all parties as to the required time specifications. Drivers are required to report changes in their circumstances. |
| 4.5 | After reviewing the guidance and the policy, it is felt that there are 4 changes that could be made to the Policy and that these need to be consulted on. They are further detailed in Appendix 2. |
| 4.6 | The first change relates to 15.13 of the Policy and the training of drivers in loading wheelchairs and wheelchair users into Wheelchair Accessible Vehicles. |
| 4.7 | The consultation will ask whether training around the use of loading and securing a wheelchair and the user safely, should be made mandatory and if so, what form that would take. |
| 4.8 | This is considered a major change to the policy and consultation is required as there is a potential financial impact to the drivers in terms of the cost of the training. It would also be useful to hear from wheelchair users as to whether they believe there is a need for licensed drivers to have this training. |
| 4.9 | The second change relates to 17.1 of the Policy and daily checks of the licensed vehicle. |
| 4.10 | The consultation will ask whether daily checks should be made mandatory, how they would be completed and where the records would be held. |
| 4.11 | This is considered a major change as proprietors and/or drivers would be required to do a daily check and record the findings of those checks. A consultation will provide the trade's feeling on such a check as well as helping develop what the check should constitute. Making sure that licensed vehicles are safe to be driven is paramount and a daily check undertaken by drivers could potentially positively impact this requirement. |
| 4.12 | The third change relates to 17.7 ii) of the Policy and whether Private Hire Vehicles should |

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| | display operator signs. |
| 4.13 | The consultation will ask whether the requirement to display operator signs should be removed and any potential impacts this could have on public safety. |
| 4.14 | This is considered a major change as the potential impact it could have public safety when getting into a pre-booked vehicle. The consultation will allow us to get the views of the drivers, operators and members of the public as to the feeling behind a proposed removal of the operator signs on private hire vehicles. |
| 4.15 | The fourth change relates to 33.5 of the Policy and the length of time someone has held their DVLA licence before they can apply to become a taxi driver. |
| 4.16 | The consultation will ask whether this should be extended from 12 months to 24 months. This change is from an internal review and not mentioned in the guidance. |
| 4.17 | This is considered a major change as it will be increase the amount of time a person would have had to hold a relevant driving licence before they could become a taxi driver. It is being considered as it means that an applicant would have had a minimum of two years driving experience as opposed to just one year. |
| 5. | Consultation, engagement and communication |
| 5.1 | It is requested that permission is given to go out to consult on the changes proposed to the Policy in Appendix 2. |
| 6. | Anticipated outcomes, benefits or impact |
| 6.1 | The changes and proposed changes will bring the Council's Hackney Carriage and Private Hire Licensing Policy in line with the latest issued guidance as well as updating the Policy and making it more clear and concise. |
| 7. | Implications |
| 7.1 | Relevant risks |
| | Financial Implications |
| 7.2 | None. |

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| | Legal Implications |
| 7.3 | The guidance issued is not legally binding, the guidance is primarily intended to assist licensing authorities, but it is only guidance and does not intend to give a definitive statement of law; any decisions made by an authority remain a matter for that authority. |
| | Equalities and socio-economic Implications |
| 7.4 | Attached as Appendix 4 is an EqlA for the current policy with the minor changes. A further EqlA will be completed following the consultation on 4 potential major changes to the policy |
| | Net Zero Carbon, Climate Change and Environmental implications |
| 7.5 | None |
| | Procurement Implications |
| 7.6 | None |
| | Community Safety Implications |
| 7.7 | None of the minor changes would have any impact on community safety. The policy changes that have been requested to consult on, could potentially impact on community safety and these will be addressed after the results of the consultation, with any further changes to the Policy brought back to future Licensing Committees. |
| 8. | Background documents Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985 |
| 8.1 | Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy |

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| | Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England |
| 9. | Appendices |
| 9.1 | Appendix 1 – Minor changes to the Policy Appendix 2 – Changes to the Policy to consult on Appendix 3 - Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England. Appendix 4 – EqIA |
| | To inspect the background papers or if you have a query on the report please contact Luke Catchpole, Environmental Health and Licensing Support Team Leader, luke.catchpole@cambridge.gov.uk |

