

## Changes to Hackney Carriage and Private Hire Licensing Policy

**To:**

Licensing Committee – 20<sup>th</sup> January 2025

**Report by:**

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**Wards affected:**

All

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| <b>1.</b> | <b>Recommendations</b>   |
| 1.1       | <p>It is recommended that members of the Licensing Committee:</p> <ol style="list-style-type: none"> <li>1. Approve the changes made to the Policy as per the tracked changes in Appendix A, namely : <ul style="list-style-type: none"> <li>• Introduction of the training of drivers in loading wheelchairs and wheelchair users into Wheelchair Accessible Vehicles.</li> <li>• For drivers to daily safety checks of the licensed vehicle.</li> <li>• Private Hire Vehicles should continue to display operator signs.</li> <li>• Applicants shall hold a full driving license for more than 2 years before applying to be a licensed driver.</li> </ul> </li> <li>2. In regards to training of drivers in loading wheelchairs and wheelchair users into Wheelchair Accessible Vehicles, allow officers to decide how the introduction of this training requirement is implemented.</li> </ol> |
| <b>2.</b> | <b>Purpose and reason for the report</b>   |
| 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 led to a review of Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy being presented to the Licensing Committee in September 2024.</p>  |

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| 2.2       | Members gave permission for 4 potential changes to the Policy to be subject to a public consultation. This report brings those 4 potential changes to the Policy back to the Licensing Committee.   |
| 2.3       | Following feedback from Members when they have sat on the Licensing Sub-Committee, paragraph 33.7 has been added to the Policy and clarifies the position in regards to licence holders that have had their licenses previously suspended, revoked or refused by Cambridge City Council or other Local Authorities. |
| <b>3.</b> | <b>Alternative options considered</b>   |
| 3.1       | Consultations have been carried out on the four potential changes and the results have been analysed and options proposed have been considered before making the recommendations in this report.  |
| <b>4.</b> | <b>Background and key issues</b>  |
| 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       | After reviewing the guidance and the policy, it was felt that there were 4 changes that could be made to the Policy and that these need to be consulted on.   |
| 4.3       | 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.  |
| 4.4       | The consultation asked 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.   |
| 4.5       | The consultation received 44 responses, the majority of which (29) stated that the mandatory training should be brought in.   |
| 4.6       | By introducing the mandatory training, the Licensing Authority and members of the public can have confidence that drivers know how to safely load and transport wheelchair users. Drivers will also have the confidence from being trained.   |
| 4.7       | The consultation responses were less clear on who the training should be for and how the training should be implemented. It is requested that the Licensing Committee allow   |

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|      | officers to look into this in further detail and decide who should receive the training and who should provide the training.   |
| 4.8  | All the responses to the consultation and a summary are attached to this report as Appendix B.   |
| 4.9  | The second change relates to 17.2 of the Policy and daily checks of the licensed vehicle.  |
| 4.10 | The consultation asked whether daily checks should be made mandatory, how they would be completed and where the records would be held.   |
| 4.11 | The consultation received 44 responses. 26 of those responses stated that a daily checklist should not be introduced, leaving 18 believing a daily checklist should be introduced.   |
| 4.12 | Although the majority of respondents do not believe a daily checklist should be introduced, the guidance states that one should be in place. Making sure that licensed vehicles are safe to be driven is paramount and a daily check undertaken by drivers could positively impact this requirement. Other vehicles used to transport members of the public, such as buses are subject to a daily check by the driver. |
| 4.13 | Officers believe that introducing a daily check list will help reinforce the high standards of vehicles licenced by Cambridge City Council due to the vehicle test they need to take every 6 months.   |
| 4.14 | A daily checklist will also improve the confidence of the public that the vehicle they are travelling in is safe and clean.  |
| 4.15 | Concerns regarding the use of paper can be addressed by the checklist being completed electronically and saved on a device or to a “cloud” based system.   |
| 4.16 | The checklist proposed in the guidance is attached to this report as Appendix C. An amended checklist that would be used by drivers, is attached to this report as Appendix D.   |
| 4.17 | All the responses to the consultation and a summary are attached to this report as Appendix E.   |
| 4.18 | The third change relates to 18.7 ii) of the Policy and whether Private Hire Vehicles should display operator signs.  |
| 4.19 | The consultation asked whether the requirement to display operator signs should be removed and any potential impacts this could have on public safety.   |
| 4.20 | The consultation received 45 responses. 42 of these responses stated that the condition to display the Private Hire Operator sign on the doors of Private Hire Vehicles should not   |

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|           | be removed.  |
| 4.21      | The guidance states: "Licensing authorities' private hire vehicle signage requirements should be limited to the authority licence plate or disc and a "pre-booked only" door sign."  |
| 4.22      | The guidance is primarily intended to assist licensing authorities, but it is only guidance and does not intend to give a definitive statement of the law; any decisions made by an authority remain a matter for that authority.  |
| 4.23      | Although the Local Authority has given consideration to the guidance, with the overwhelming response to the consultation, it is proposed that the condition in the Policy remains and that Private Hire Vehicles shall have to display a door sign showing the Private Hire Operator that they are working for at that time. This decision has been taken in the interests of public safety. |
| 4.24      | All the responses to the consultation and a summary are attached to this report as Appendix F.   |
| 4.25      | 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.  |
| 4.26      | The consultation asked whether this should be extended from 12 months to 24 months. This change is from an internal review and not mentioned in the guidance.  |
| 4.27      | The consultation received 44 responses. 22 of the responses stated that the time should be extended to 2 years, whilst 22 responses stated it should remain at 12 months.  |
| 4.28      | By extending the requirement to have held a driving licence for at least 2 years before becoming a licensed driver, it would see drivers with more experience of driving a vehicle.  |
| 4.29      | By extending to 2 years, this will also cover the probationary period that all new drivers are subject to, where if 6 points are received in that time, the individual loses their DVLA driving licence.   |
| 4.30      | The change would not impact any driver already licenced or any applicant that has submitted an application before the change takes effect.   |
| 4.31      | All the responses to the consultation and a summary are attached to this report as Appendix G.   |
| <b>5.</b> | <b>Consultation, engagement and communication</b>  |
| 5.1       | A public consultation was carried out from 4 <sup>th</sup> November 2024 to 1 <sup>st</sup> December 2024.   |
| <b>6.</b> | <b>Anticipated outcomes, benefits or impact</b>  |

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| 6.1       | The proposed changes will bring the Council's Hackney Carriage and Private Hire Licensing Policy in line with the latest issued guidance, where deemed appropriate and will also will be in the interests of public safety.   |
| <b>7.</b> | <b>Implications</b>   |
| 7.1       | <b>Relevant risks</b><br><br>There are no relevant risks to the changes of the policy   |
|           | <b>Financial Implications</b>   |
| 7.2       | None.   |
|           | <b>Legal Implications</b>   |
| 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. |
|           | <b>Equalities and socio-economic Implications</b>   |
| 7.4       | Attached as Appendix H is an EqIA for the current policy with four proposed changes.  |
|           | <b>Net Zero Carbon, Climate Change and Environmental implications</b>   |
| 7.5       | None  |
|           | <b>Procurement Implications</b>   |

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| 7.6       | None   |
|           | <b>Community Safety Implications</b>   |
| 7.7       | None of the changes would have any negative impact on community safety. The changes to the Policy should boost community safety.   |
| <b>8.</b> | <b>Background documents</b><br>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<br>Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England  |
| <b>9.</b> | <b>Appendices</b>  |
| 9.1       | Appendix A – Tracked changes to the Policy<br>Appendix B – responses from consultation on wheelchair training<br>Appendix C – checklist provided by guidance.<br>Appendix D – proposed checklist<br>Appendix E – responses from consultation on daily checklist<br>Appendix F – responses from consultation on operator signs being displayed<br>Appendix G – responses from consultation on extending time held DVLA licence<br>Appendix H - 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, <a href="mailto:luke.catchpole@cambridge.gov.uk">luke.catchpole@cambridge.gov.uk</a>  |

