

**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES**

TO: POLICY AND RESOURCES COMMITTEE

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Report Author: Jackie Allen
Tel. No: 661638
E-mail: jackie.allen@pendle.gov.uk

**DEPARTMENT FOR TRANSPORT STATUTORY TAXI & PRIVATE HIRE
VEHICLE STANDARDS AND POLICY REVIEW**

PURPOSE OF REPORT

To consider the responses to the consultation on the draft taxi licensing policy incorporating the Department for Transport's statutory standards, together with proposed updated local policies.

RECOMMENDATION

- (1) That the recommendations from the Taxi Licensing Committee, as set out at point 3, be accepted and incorporated into the policy.
- (2) That the requirement under the Finance Act 2021, as set out at point 2, be incorporated into the policy.
- (3) That the Taxi Licensing Policy be adopted as from 1st April 2022.

REASON FOR RECOMMENDATION

- (1) The proposed changes would make the policy more robust.
- (2) Following the requirement under the Finance Act 2021.
- (2) The policy to be adopted following a five year review, incorporates the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards and is an appropriate policy for Pendle.

BACKGROUND

1. The draft policy incorporating the Department for Transport's statutory standards, together with proposed updated local policies was submitted to this committee in October 2021. It was agreed that the licensed trade and other interested parties be consulted and the

results of the consultation be submitted back to this committee.

ISSUES

2. Since the draft policy was published details of a requirement under the Finance Act 2021 has been published and will require adding to the policy. The requirements are, that as from 4 April 2022, licensing authorities must carry out checks on driver and operator renewal applications from individuals, companies and any type of partnership to make sure they are aware of their tax responsibilities or have completed a tax check.

CONSULTATION

3. Following the consultation process 4 responses were received back. Two from members of the trade and 1 from a member of the public thought that CCTV should be installed in all vehicles and 1 member of the public thought that all drivers should have a perspex screen around them as a compulsory measure due to Covid19.
4. Two meetings of the taxi licensing committee, together with members of the trade, were held in February 2022. Following these meetings the Committee made the following recommendations:-
 - (1) That the Policy and Resources Committee be recommended to approve the draft Hackney Carriage and Private Hire Licensing Policy, which includes the action/updates required by the Department for Transport statutory guidance as detailed in appendix 1 to the report and the recommended updates as detailed in appendix 2, subject to the following amendments –
 - (i) that the requirement for medical certificates to be completed by the driver's own GP be extended to include any qualified medical practitioner, subject to the driver providing a summary of their medical history to the medical practitioner, and the wording of Section 5.8 of the draft policy be amended to reflect this;
 - (ii) that the vehicle age limits as detailed in Section 4.7 of the draft policy be amended to include the following –
 - that there be no lower age limit at which hackney carriage and private hire vehicles may be licensed;
 - that the upper age limit for licence renewal of vehicles manufactured or adapted to allow for wheelchair accessibility be increased from 12 years to 15 years;
 - that an upper age limit for licence renewal of electric/Euro 6 vehicles be set at 15 years;
 - that the upper age limit for licence renewal of all other hackney carriage and private hire vehicles be increased from 11 to 12 years.
 - (iii) that, in view of the potential cost involved, the requirement that all vehicles must be fitted with CCTV cameras that must be functioning and in recording whilst the vehicle is in use not be implemented at this time and this be removed from Section 4.1 of the draft policy;
 - (iv) that Section 5.13 (c) relating to the suspension of an operator's licence where drivers employed by the same private hire firm have been found guilty of

unlawful plying for hire be removed from the draft policy;

- (v) that to delegate authority to the Planning, Economic Development and Regulatory Services Manager to incorporate the requirements of paragraphs 6.14 and 6.15 of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards in the knowledge test and, in doing so, acknowledge that these measures will ensure that the Council's policies relating to hackney carriage and private hire licensing comply with the language proficiency elements of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards.

CONCLUSION

- 5. Following the consultation the taxi licensing policy has been reviewed and formulated giving regard to the statutory guidance and our 5 year review which include developing, implementation and reviewing our taxi and private hire vehicle, driver and operator licensing regimes.

IMPLICATIONS

Policy: To adopt a policy to protect the public and protect children and young people from the risk of sexual abuse and exploitation and to ensure there is no discriminate against disabled passengers.

Financial: There will be a minimal cost to the Council in producing complaint stickers and medical exemption notices.

Legal: A legal challenge could be made to an authority's practice and any failure to adhere to the DFT's standards, without sufficient justification, could be detrimental to the authority's defence.

Risk Management: None arising directly from the report.

Health and Safety: None arising directly from the report.

Sustainability: None arising directly from the report.

Community Safety: guidance to protect the public, children and young people.

Equality and Diversity: to ensure disabled passengers are not discriminated against.

LIST OF BACKGROUND PAPERS

Appendices considered in October 2021

Appendix 1 – proposed action/updates required from the statutory guidance

Appendix 2 – proposed routine updates to the hackney carriage and private hire policy

Appendix 3 – draft hackney and private hire policy

Appendix 4 – Department for Transport Statutory Taxi & Private Hire Vehicle Standards

The Department for Transport "2010 Best Practice Guidance".