



Licensing Committee

Wednesday, 13 November 2019

Revised hackney carriages and private hire licensing vehicles policy 2017-2022

Report of the Executive Manager – Neighbourhoods

1. Purpose of report

- 1.1. This report seeks to review and update the Council's taxi licensing policy considering recent legislative changes.
- 1.2. The Licensing Committee is asked to endorse the policy and recommend its adoption to Council.

2. Recommendation

It is RECOMMENDED that the policy be approved and recommended for adoption by Council.

3. Reasons for Recommendation

- 3.1. There have been some significant legislative changes since the existing policy was approved by Council in 2017. The Council's Corporate Strategy has also been revised to include the environment as an additional key priority.

4. Supporting Information

- 4.1. The proposed revised policy has been updated to reflect the Council's current and future priorities and changes in the legislative landscape in particular in relation to protecting people from harm, promoting health and managing the environment.
- 4.2. Significant changes include:
 - The implementation of the revocations and surrender data base known as NR3 administered by the NAFN. (National Anti-Fraud Network). This is a national register of revoked and refused taxi drivers.
 - Changes in accordance with the Air Quality (Taxis and Private Hire Vehicles Database) (England and Wales) Regulations 2019 which require Councils to share data with DEFRA and supports the enforcement of Clean Air Zones across the Country.

- Changes to take into consideration the requirements of GDPR (General Data Protection regulations) specifically those relating to revised privacy statements.
- Changes to the technical requirements relating to licensed taxis including the provision of spare wheels, alternative fuel vehicles (ULEV), signage, general vehicle condition and emissions. In addition, new vehicle applications will only be permitted if the vehicle is registered after 2011.
- Process changes for new driver applications which is a service efficiency improvement and requires applicants to pre-register.
- Application of the IOL (Institute of Licensing) guidance on offences etc. This adopts best practice ensuring the suitability of applicants and licensees in the taxi trade.
- Minor changes to operator conditions and improvements to operator driver documentation e.g. lost property, meter calibration certifications.
- Changes to offence codes to reflect new legal coding by the courts.
- Minor amendments to driver penalty points system which reflect new driver offences e.g. smoking and use of mobile phones.
- Introduces safeguarding refresher training across Nottinghamshire.
- Inclusion of a Statement on a Section 167 taxi list in accordance with Equality Act 2010 which requires local authorities to publish lists of vehicles which are able to carry disabled passengers and assistance dogs. This also places a legal duty on the driver of these vehicles to carry disabled passengers and where necessary an assistance dog without additional charge.

4.3 The Council launched a consultation exercise on the revised policy changes on 26 September 2019 which closed on 23 October 2019. The results of this exercise are as follows.

| NAME | FOR / AGAINST | COMMENT |
|-----------|---------------|---|
| C Beesley | FOR | Supports enforcement, improvements to air quality |

5. Alternative options considered and reasons for rejection

5.1. None considered as the update to the policy is required to comply with current legislation.

6. Risks and Uncertainties

6.1. Some of the proposed changes will impact on existing taxi / hackney carriage licence holders. The new requirements are likely to have greater impact on hackney licensees because of the specialist nature of the vehicles therefore it would not be surprising to see a reduction in the number of licensed hackney carriage vehicles. It should be noted that the number of hackney carriages licensed within the Borough is relatively small (36) already due to the significant communication and technological changes in the industry

7. Implications

7.1. Financial Implications

7.1.1. The financial implications arising from this policy are considered to be insignificant.

7.2. Legal Implications

7.2.1. The Council adopted the policy in 2017 in accordance with its legal obligations, the Council is required to update and review the policy from time to time particularly to ensure compliance with legislation.

7.3. Equalities Implications

7.3.1. An Equalities Impact Assessment has been undertaken which has identified no major or adverse impact.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

7.4.1. This policy supports the importance of ensuring strong public safety standards within the taxi and private hire trade.

7.5. Other implications

7.5.1. None identified

8. Link to Corporate Priorities

- Maintaining and enhancing our residents' quality of life – the implications of this policy will further protect the public.
- The Environment – the implications of this policy will impose improvements to licensed vehicles to reduce emissions to atmosphere and improve local air quality.

9. Recommendations

It is RECOMMENDED that the policy be approved and recommended for adoption by Council.

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| For more information contact: | Geoff Carpenter, Environmental Health Manager 0115 9148229 gcarpenter@rushcliffe.gov.uk |
| Background papers available for Inspection: | None. |
| List of appendices: | Appendix 1 - Hackney Carriage and Private Hire Licensing Policy 2017 – 2022 [Draft] Appendix 2 – Equality Impact Assessment |