



Council

Thursday, 5 March 2020

**Revised Hackney Carriage and Private Hire Licensing Policy
2017-2022 (amended 2019)**

Report of the Executive Manager – Neighbourhoods

Cabinet Portfolio Holder for Environment and Safety Councillor Rob Inglis

1. Purpose of report

- 1.1. This report seeks to review and update the Council's Hackney Carriage and Private Hire Licensing Policy considering recent legislative changes and other necessary amendments.
- 1.2. Council is asked to approve the policy.

2. Recommendation

It is RECOMMENDED that Council approve the revised Hackney Carriage and Private Hire Licensing Policy 2017 - 2022 for adoption.

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 which has allowed additional policy measures to be formulated.

4. Supporting Information

- 4.1. It is a legal requirement for the Council to have a policy for the licensing of Hackney Carriages and Private Hire vehicles.
- 4.2. The proposed revised policy has been updated to reflect the Council's current and future priorities, and changes in the legislative landscape in relation to protecting people from harm, promoting health and managing the environment. This policy has been fully considered and endorsed by the Licensing Committee at its meeting held on 13 November 2019.
- 4.3. The most significant changes include the following proposals:
 - 4.3.1. The implementation of the revocations and surrender data base known as NR3 administered by the National Anti-Fraud Network (NAFN). This is a national register of revoked and refused taxi drivers.

- 4.3.2. 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 Department of the Environment, Food and Rural Affairs and supports the enforcement of Clean Air Zones across the Country.
 - 4.3.3. Changes to take into consideration the requirements of the General Data Protection Regulations (GDPR) specifically those relating to revised privacy statements.
 - 4.3.4. Changes to the technical requirements relating to licensed taxis including the provision of spare wheels, alternative fuel and ultra-low emission vehicles, signage, general vehicle condition and emissions. In addition, new vehicle applications will only be permitted if the vehicle is registered after 2011.
 - 4.3.5. Process changes for new driver applications which is a service efficiency improvement and requires applicants to pre-register.
 - 4.3.6. Application of the Institute of Licensing guidance on offences etc. This adopts best practice ensuring the suitability of applicants and licensees in the taxi trade.
 - 4.3.7. Minor changes to operator conditions and improvements to operator driver documentation e.g. lost property, meter calibration certifications.
 - 4.3.8. Changes to offence codes to reflect new legal coding by the courts.
 - 4.3.9. Minor amendments to driver penalty points system which reflect new driver offences e.g. smoking and use of mobile phones.
 - 4.3.10. Introduces safeguarding refresher training which is being adopted across Nottinghamshire.
 - 4.3.11. 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.
- 4.4. 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. No alternative options have been 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 already relatively small (36) due to the significant communication and technological changes in the industry.

7. Implications

7.1. Financial Implications

Due to the nature of taxi licensing and the overall service being cost neutral, should there be any increase or decrease in associated costs, these would be met through changes in licence fees.

7.2. Legal Implications

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

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

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

8. Link to Corporate Priorities

Quality of Life	The implications of this amended policy will further protect the public and users of licensed vehicles
Efficient Services	Changes are being proposed to the licensing process which will improve the efficiency of the service
Sustainable Growth	None
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 Council approve the revised Hackney Carriage and Private Hire Licensing Policy 2017 - 2022 for adoption.

For more information contact:	Geoff Carpenter Environmental Health Manager 0115 9148229 gcarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Licensing Committee 13 November 2019
List of appendices:	Appendix 1 - Hackney Carriage and Private Hire Licensing Policy 2017 – 2022 [Draft] Appendix 2 – Equality Impact Assessment