

AGENDA ITEM

REPORT TO CABINET

25 FEBRUARY 2021

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET / COUNCIL DECISION

Access, Communities and Community Safety – Lead Cabinet Member Councillor Steve Nelson

PRIVATE HIRE & HACKNEY CARRIAGE LICENSING POLICY REVIEW

SUMMARY

For Cabinet to consider the views and comments received from the Licensing Committee, transport trade and other interested parties following consultation on the Private Hire and Hackney Carriage Licensing Policy and to make recommendations to Council.

REASONS FOR RECOMMENDATION(S)/DECISION(S)

The Department for Transport published the 'Statutory Taxi and Private Hire Vehicle Standards' which it recommends all Local Authorities adopt. It is proposed to adopt these standards fully during the Private Hire and Hackney Carriage Licensing Policy review.

RECOMMENDATIONS

It is recommended that Cabinet

1. Note the content of this report.
2. Recommend to Council that the proposed Private Hire and Hackney Carriage Licensing Policy is approved with an implementation date of 1st April 2021.

DETAIL

1. The current Private Hire & Hackney Carriage Licensing Policy was approved in 2016 and amended in 2018 and again in 2019.
2. In July 2020 the Department for Transport published the 'Statutory Taxi and Private Hire Vehicle Standards'. Which it recommends all Local Authorities adopt. A copy of this document can be found at:
<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>
3. The current policy already included some of these statutory standards, and in this policy review it is proposed all the Department for Transport's standards are adopted in full. A draft policy document can be found at:
<https://www.stockton.gov.uk/our-people/licensing/current-applications-and-consultations/>

4. A 31-day period of consultation was undertaken giving all stakeholders opportunity to comment on the proposed changes. The public consultation survey was available online and links were directly sent to all licensees via the Trade Times. The link was also emailed to Private Hire Operators and Stockton Hackney Carriage Drivers Association (SHCDA).
5. Other local authorities, responsible authorities including the police and all Council Members were sent the link via email on the 7 December 2020 and given an opportunity to comment on the proposed changes.
6. Details of the policy review and how to make comments were also advertised to the public via library notice boards. The consultation has now closed, there were 13 responses the majority in favor of the proposed changes. Details of the responses are attached at Appendix 1.
7. The Licensing Committee considered the draft policy and consultation document on 15 January 2021 and had no further comments to make.
8. Next Steps – summary of the consultation and any further Cabinet Member comments will be considered by full Council on 24 March 2021. If approved it is proposed that the revised policy will be implemented on 1 April 2021.
9. The trade will be informed of the new policy via email and via private hire operators and the SHCDA. Changes will also be publicised on the trade Facebook page and via the Council website. In addition the policy changes will be added to future trade meeting agendas.

COMMUNITY IMPACT IMPLICATIONS

Control and regulation of the private hire and hackney carriage trade ensures the safety of the public and other road users. This proposal will enhance public safety objectives of the licensing regime.

FINANCIAL IMPLICATIONS

Trade licensing fee are set locally and are not affected by this proposal.

LEGAL IMPLICATIONS

If a person is aggrieved with the adoption of the Private Hire and Hackney Carriage Licensing Policy then they could challenge it by Judicial Review proceedings before the Administrative Court. A claimant must file a claim promptly, and in any event not later than three months after the grounds to make the claim first arose. The implementation and operation of the Private Hire & Hackney Carriage Licensing Policy will be done in accordance with the legislation and associated guidance.

RISK ASSESSMENT

The risks associated with the Private Hire & Hackney Carriage Licensing Policy are mitigated by the administration and enforcement provisions of legislation and associated guidance.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

The administration and enforcement provisions within the legislation and associated guidance assist officers in dealing with public safety and can lead to the revocation of a licence.

CORPORATE PARENTING IMPLICATIONS

None.

CONSULTATION INCLUDING WARD/COUNCILLORS

The Cabinet Member for Access, Communities and Community Safety has been consulted, along with Members, Responsible Authorities, the trade, and the public.

Name of Contact Officer: Margaret Waggott

Post Title: Assistant Director of Administration, Democratic and Electoral Services

Telephone No. 01642 527064

Email Address: margaret.waggott@stockton.gov.uk

Education related? No

Background Papers

<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>

<https://www.stockton.gov.uk/our-people/licensing/current-applications-and-consultations/>

Ward(s) and Ward Councillors:

Not applicable – does not relate directly to specific wards.

Property

Not applicable.