

AGENDA ITEM

REPORT TO CABINET

17 NOVEMBER 2022

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET / COUNCIL DECISION

Access, Communities and Community Safety – Lead Cabinet Member Councillor Norma Stephenson

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)

Due to changes in the industry both locally and nationally the licensed transport trade made a number of requests to amend the current Hackney Carriage and Private Hire Licensing Policy and a 21 day public consultation was undertaken giving stakeholders opportunity to comment.

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 1 December 2022.

DETAIL

1. The current private hire & hackney carriage licensing policy was approved in 2021 to adopt the Department for Transport published the 'Statutory Taxi and Private Hire Vehicle Standards'. A copy of the current policy document can be found at: www.stockton.gov.uk/article/1514/Introduction
2. It is vital to review policies to reflect changes in the industry both nationally and locally. The effectiveness of the hackney carriage and private hire licensing regime depends on licensing authorities to acknowledge and manage changes to ensure that, alongside the benefits being achieved, any negatives are minimised for passengers, the trade, and wider communities.
3. The licensed trade made a number of requests to amend the current policy and a 21 day public consultation was undertaken giving stakeholders opportunity to comment.

4. 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. Members, other local authorities and responsible authorities including the police were sent the link and given an opportunity to comment on the proposed changes.
6. Details of the policy review and how to make comments was also advertised to the public on the Council website and library notice boards.
7. The consultation closed, with 78 responses with majority agreement on the proposed changes. A summary of the consultation document is attached as Appendix 1.
8. In response to the consultation two further amendments to the new wording have been proposed on:
 - Wheelchair accessible vehicle renewals detailed and highlighted at page 3 of Appendix 1
 - LPG vehicles detailed and highlighted at page 4 of Appendix 1
9. The full consultation result report is attached as Appendix 2.
10. A background report giving further information on the proposals and reasons for the changes is attached as Appendix 3.
11. The Licensing Committee considered the draft policy and consultation document on 8 November 2022 and no further comments were made and recommendations agreed.
12. Next Steps – summary of the consultation and any further Cabinet Member comments will be considered by full Council on 23 November 2022. If approved it is proposed the revised policy will be implemented on 1 December 2022.
13. If revised, 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 fees 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.

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Education related? No

Background Papers

www.stockton.gov.uk/article/1514/Introduction

Ward(s) and Ward Councillors:

Not applicable – does not relate directly to specific wards.

Property

Not applicable.