

**AGENDA NO**

**OTHER LICENSING COMMITTEE**

**8 AUGUST 2023**

**REPORT OF ASSISTANT DIRECTOR  
COMMUNITY SERVICES AND REGULATED  
ELECTORAL SERVICES**

**PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING POLICY REVIEW**

**SUMMARY**

The purpose of this report is to update Members on a recent private hire and hackney carriage policy consultation which was carried out at the request of the transport trade.

**RECOMMENDATION**

1. That Members note the contents of the report.
2. That Members comments are received on proposed changes

**Detail**

1. The current private hire & hackney carriage licensing policy was approved in 2022. A copy of the current policy document can be found at: [www.stockton.gov.uk/article/1514/Introduction](http://www.stockton.gov.uk/article/1514/Introduction)
2. The current licensing regime provides a framework to licence drivers, vehicles and operators. Current numbers and comparison can be found below:

| <b>Licensed Drivers/Vehicles/Operators</b> | <b>June 2023</b> | <b>June 2022</b> | <b>Difference</b> |
|--|------------------|------------------|-------------------|
| Private Hire Drivers                       | 272              | 318              | -46               |
| Hackney Carriage Drivers                   | 32               | 34               | -2                |
| Combined Drivers                           | 419              | 380              | +39               |
| Hackney Carriage Saloon                    | 291              | 257              | +34               |
| Hackney Carriage Wheelchair                | 14               | 14               | 0                 |
| Private Hire Saloon                        | 330              | 339              | -9                |
| Private Hire Wheelchair                    | 3                | 2                | -1                |
| Private Hire Operators                     | 21               | 24               | -3                |

3. 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.

4. Members of the licensed trade have made a request to amend the current policy to reintroduce specifications on all new hackney carriage vehicle applications, background information on the request is attached as **Appendix 1**.
5. The Licensing Service carried out a public consultation which included all Council members and Responsible Authorities including the police. All members of the transport trade were sent a link to the consultation in writing and via direct email.
6. The consultation and how to make comments was also advertised on the Council website, via social media and library notice boards.
7. There were 105 responses to the consultation, full results can be found at **Appendix 2**. In summary the proposed policy wording was supported:

|                         | Agree with proposed wording – 69% | Disagree proposed wording 15% | Neither agree or disagree – 15% |
|-------------------------|-----------------------------------|-------------------------------|---------------------------------|
| Combined driver         | 44                                | 7                             | 5                               |
| Hackney carriage driver | 13                                | 3                             | 2                               |
| Private hire driver     | 7                                 | 2                             | 6                               |

8. If approved the policy wording would change and any applications for new hackney carriage vehicles would need to be wheelchair accessible., existing hackney carriage vehicles would still be able to be replaced like for like.

|   |
|---|
| <p><b>Current Wording</b><br/> <b>Wheelchair Accessible Vehicles (WAV)</b><br/>                     WAV's that are currently licensed may be replaced with a like for like vehicle e.g. another WAV that complies with current policy.</p> <p>Departure from policy in exceptional circumstances e.g. medical grounds will be considered on a case by case basis.</p> <p>The hackney carriage and private hire trade will continue to be encouraged to licence a proportion of their fleet as Wheelchair Accessible Vehicles.</p>   |
| <p><b>Proposed Wording</b><br/>                     All new applications for hackney carriage vehicle licences are required to be wheelchair accessible vehicles.</p> <p>Hackney carriage vehicles which are currently licensed may be replaced with a like for like vehicle e.g.</p> <ul style="list-style-type: none"> <li>• WAVs maybe replaced with another WAV which complies with current Policy.</li> <li>• Saloons (5 seats) may be replaced with another Saloon which complies with current Policy</li> <li>• MPVs (more than 5 seats) may be replaced with another MPV which complies with current Policy</li> </ul> <p>The private hire trade will continue to be encouraged to licence a proportion of their fleet as Wheelchair Accessible Vehicles.</p> |

9. A full review of the policy is expected later this year or early next year, after the publication of the Department for Transport's Best Practice Guidance document, which was consulted on in 2022 and was expected in Spring 2023.

10. Next Steps – summary of the consultation and any further licensing committee comments will be considered by Cabinet and full Council any changes agreed would come in to effect after these meetings.
11. 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.
12. Members of the trade who responded to the consultation and expressed an interest in attending the committee meeting and provided contact details have been invited to today's meeting.

**Assistant Director Community Safety  
& Regulated Services**

**Contact Officer Name:**

**Telephone No.**

**Email Address:**

**Financial Implications :**

**Environmental Implications :**

**Legal Implications:**

Marc Stephenson

Leanne Maloney-Kelly

01642 526566

leanne.maloney-kelly@stockton.gov.uk

The Trade licensing fees are set locally.

Changes to the policy can support the Environmental strategy.

If a person is aggrieved with the adoption of the Private Hire & 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 first grounds arose. Any decision taken on the implementation of a new policy could be judicially reviewed within 10 weeks to the Administrative Court. The implementation and operation of the policy will be done in accordance with the legislation and associated guidance.

**Community Safety Implications:**

Control and regulation of the private hire and hackney carriage trade ensures the safety of the public and other road users.

**Human Rights Implications:**

None

**Background Papers:**

Appendices

**Ward(s) and Ward Councillors:**

Not ward related