



LICENSING COMMITTEE

Monday, 19 April 2021

Subject	DEPARTMENT FOR TRANSPORT STATUTORY TAXI & PRIVATE HIRE VEHICLE STANDARDS
Report by	Councillor Mary Rudd – Cabinet Member with responsibility for Community Health
Supporting Officer	Chris Bing Legal and Licensing Services Manager 01394 444408 chris.bing@eastsoffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable .
Wards Affected:	All Wards .

Purpose and high-level overview

Purpose of Report:

To present to the Committee proposals required to meet the Department for Transport's (DfT) 'Statutory Taxi and Private Hire Vehicle Standards' and changes required following a review of existing policy and guidance documents, and to seek approval to consult on these proposals and changes.

Options:

- 1) To consult on the new statutory standards for Hackney Carriage and Private Hire Vehicles
OR
- 2) Not to consult on the new statutory standards for Hackney Carriage and Private Hire Vehicles

Recommendation/s:

That the Committee:

- 1) Considers the assessment of the new statutory standards and the changes to the existing policies and procedures.

AND
- 2) Approves the proposed consultation for the new statutory standards and the changes to the existing policies and procedures.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

ESC policies and strategies that directly apply to the proposal:

Safeguarding policy

Criminal convictions policy

Taxi and private hire licensing policy

Environmental:

No impact

Equalities and Diversity:

No impact

Financial:

Some of the national standards, such as the purchase and installation of CCTV in all vehicles, would require significant expenditure by vehicle owners. The safety of the travelling public and drivers must always be prioritised but the imposition of standards to address the identified risk should be proportionate to the level and nature of the

identified risk and the costs which would be incurred in complying with the standard is a relevant consideration here.

Human Resources:

No impact

ICT:

No impact

Legal:

No impact

Risk:

The licensing authority needs appropriate standards for taxi and private hire vehicles to protect the public and drivers.

External Consultees:

Authority is being sought to consult with the trade and relevant interest groups on the new standards.

Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>

P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>

How does this proposal support the priorities selected?

Licensing plays an important role in the themes in the Council's Strategic Plan of growing our economy and enabling our communities. The proposals in this report seek to review and, where appropriate, raise the standards to which hackney carriage and private hire vehicles are subject. Hackney carriage and private hire vehicles are a key part of the public transport system, enabling people without their own private transport or without easy access to other means of public transport to travel for education, employment, and entertainment, to shop and to attend medical appointments or deliver/receive care.

Background and Justification for Recommendation

1 Background facts	
1.1	The Council is responsible for licensing hackney carriage and private hire drivers and vehicles, and private hire operators. In undertaking those responsibilities, the Council has regard to the legislation in place including case law, relevant guidance, best practice documentation and its own policies and procedures.
1.2	On 21 July 2020 the DfT published 'Statutory Taxi and Private Hire Vehicle Standards'. The Standards are applied to local authorities having regard to the Policing and Crime Act 2017 which enables the Secretary of State for Transport to issue statutory guidance to local authorities as to how taxi (hackney carriage) and private hire licensing should be undertaken to protect children and vulnerable adults when using taxis and private hire vehicles.
1.3	The Standards were presented to the Licensing Committee at its last meeting in January 2021 and approval was given to review the Council's taxi and private hire licensing policy and guidance documents to have regard to the new Standards.

2 Current position

2.1	A review of the authority's licensing policies and procedures has been undertaken to give consideration to the statutory guidance (the Standards). However, much of what is proposed in the guidance has already been adopted by East Suffolk Council.
2.2	The Suffolk Licensing Officer's Group (SLOG) has continued to work on adopting a common licensing approach based on the statutory guidance. This will ensure that there is a basic and common approach to safeguarding throughout the county. Individual authorities will also retain the discretion to set their own policies to ensure that local standards are not lost.
2.3	Each of the standards set out in the statutory guidance has been assessed in the review and will be subject to consultation with the taxi and private hire trade and various community groups and organisations.
2.4	Whilst carrying out the review, the Licensing Team has taken the opportunity to update and revise any existing conditions, policies and procedures that is deemed necessary and to add any conditions or guidance.

3 How to address current situation

3.1	An assessment of the standards is provided at Appendix A . There are 3 columns within the assessment summarising the new statutory guidance, East Suffolk Council's current position, and if applicable, the proposed measures to be taken.
3.2	Appendix B is summary of changes that are deemed necessary to update the Council's existing Criminal Convictions policy in line with the new DfT Standards and IoL guidance.
3.3	Proposed changes to existing policies and guidance (over and above what it recommended within the DfT Statutory Taxi and Private Hire Vehicle Standards at Appendix A) is at Appendix C .
3.4	It is proposed to consult the existing taxi and private hire trade within East Suffolk on the new standards set out by the DfT and on the significant changes to the existing policy and procedures.
3.5	It is also proposed to consult the following: Parish and town councils, Suffolk Constabulary Licensing Team, Suffolk County Council Passenger Transport Team, Citizens advice Bureau, and members of the public through the Council's website.

3.6	A consultation of at least four weeks is proposed. Methods of consultation will be via the Council's website and by direct email and mail shots.
3.7	Results of the consultation will be presented to the next meeting of the Licensing Committee in July 2021.

4 Reason/s for recommendation

4.1	It is important to maintain high standards in the district for hackney carriage and private hire vehicles to protect the travelling public and drivers.
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Appendices

Appendices:

Appendix A	Assessment of the Statutory Taxi and Private Hire Vehicle Standards
Appendix B	Updates to Criminal Convictions Policy
Appendix C	Updates to existing taxi and private hire licensing policies and guidance

Background reference papers:

	None	
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