

LICENSING COMMITTEE



Report subject	Taxi and Private Hire policy harmonisation
Meeting date	4 March 2020
Status	Public Report
Executive summary	<p>Following the formation of BCP Council we currently have three legacy authority policies covering the BCP Council area. These policies are vastly different and in need of updating. In order to properly protect passengers and other road users it is proposed to create one new BCP taxi and private hire policy which will be separated into three main categories, drivers, vehicles and operators. Each category will have its own bespoke policy which will be reviewed every five years. The fees charged for the administration of this service will also be harmonised and reviewed under a separate report at a later date to coincide with the implementation of the new policies.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members decide whether to</p> <p>(a) Agree to draft new policy documents as detailed in the report and elect working party members to help formulate the policy</p> <p>(b) Agree to draft a new policy but without a working party</p>
Reason for recommendations	<p>Section 41 of the Town Police Clauses Act 1847, Sections 48, 51 and 55 of the Local Government (Miscellaneous Provisions) Act 1976 requires local authorities to issue licenses for taxis and private hire vehicles, drivers and operators. In order to have a consistent approach, to support decisions made if there is an appeal a robust policy framework is required.</p>

Portfolio Holder(s):	Councillor Lewis Allison, Portfolio holder for Tourism, Leisure and Communities
Corporate Director	Kate Ryan, Corporate Directors, Environment and Communities
Report Authors	Nananka Randle, Licensing Manager
Wards	Council-wide
Classification	For Decision

Background

1. Following the formation of BCP Council on 1ST April 2019, under the transitional arrangements all policies and documents from the three original Councils remain in force for a period of 2 years. After 31st March 2021 legacy authority policies and practices will no longer be able to be used or enforced.
2. Each legacy authority currently has separate policies, attached at (Appendices 1,2 and 3)
3. It is proposed to create a single BCP Council Taxi and Private Hire policy which will reflect current good practice, emerging climate emergency needs and provide a single framework for officers and licence holders.
4. It is proposed that members will elect representatives to work with officers and taxi trade representatives, as necessary, to draft a policy which will be sub divided into the three main license categories – drivers, vehicles and operators.

Driver considerations

5. Application criteria – including knowledge test, safeguarding, professional training, fit and proper assessment criteria.
6. Badges size and display of.
7. Behaviours and appearance.
8. Conditions.
9. Renewals criteria and timescales.
10. Medicals frequency, other criteria guidance.
11. National Register of Driver Revocations – we are currently not signed up to this, do we want to?

Vehicle considerations

12. Age at first licence, maximum age of vehicles, type of vehicles.
13. Emission limits and fuel types.
14. Accessibility criteria
15. Inspection criteria and frequency, designated testing centres.
16. Livery, advertising and plate display and placement.

17. Licence conditions
18. Private Hire areas.
19. Hackney carriage areas and any cap/limit on numbers.
20. CCTV requirements, permissions.
21. Fit and proper consideration of vehicle proprietors.

Operators

22. Application criteria, fit and proper assessment, DBS requirements for licence holders and staff.
23. Length of licence
24. Renewal criteria
25. Conditions

Public Consultation

26. Whilst there is no legal duty specifically placed on the Council to consult with respect to this type of policy, it is good practice to do so and is in line with the Department for Transport 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' (March 2010)
27. Trade representatives will be invited to take part in working party meetings as deemed necessary by members and officers.
28. Once drafted the documents will be subject to public and full trade consultation via the council's online consultation tracker.

Options Appraisal

29. Members are asked to decide whether to:-
 - a. Agree to draft a new policy in three categories and form a working party of members to help draft this policy.
 - b. Agree to draft a new policy in three categories without a working party.

Summary of financial implications

30. Appeals against decisions made relating to the issuing or revocation of a licence held by a driver, vehicle proprietor or operator licences can result in costs being awarded against the Council.

Summary of legal implications

31. Not applicable

Summary of human resources implications

32. Not applicable

Summary of sustainability impact

33. The policy relating to vehicles will address sustainability impact of vehicle use. The type of vehicles that will be licenced, minimum and maximum ages and emissions limits are proposed in this policy

Summary of public health implications

34. Not Applicable

Summary of equality implications

35. An Equality Impact Needs assessment will be completed.

Summary of risk assessment

36. Not Applicable

Background papers

Town Police Clauses Act 1847

<http://www.legislation.gov.uk/ukpga/Vict/10-11/89/section/40>

Local Government (Miscellaneous Provisions) Act 1976

<http://www.legislation.gov.uk/ukpga/1976/57/section/46>

Department for Transport 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' (March 2010)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf

Appendices

Appendix 1 – Bournemouth Policy

Appendix 2 – Christchurch Policy

Appendix 3 – Poole Policy