

Chichester District Council

General Licensing Committee

19th October 2016

Proposal to undertake a review of the Council's current Taxi and Private Hire Licensing Policy and Conditions

1. Contact(s)

Alex Barson, Licensing Technician. Tel: 01243 534744
Email: abarson@chichester.gov.uk

Laurence Foord, Licensing Manager Tel: 01243 534742
Email: lfoord@chichester.gov.uk

Nicholas Bennett, Legal Services. Tel: 01243 534657
Email: nbennett@chichester.gov.uk

2. Executive Summary

<p>To give consideration to reviewing the Council's current Taxi & Private Hire licensing policy and conditions and the formation of a Working Group involving Members of the General Licensing Committee.</p>
--

3. Recommendations

3.1 That Members approve officers to embark upon a review of the Council's current taxi and private hire policy and conditions.

3.2 That Members consider the creation of an Officer/Member working group to help inform proposed changes.

4. Main Report

4.1 After several years of practical application Officers of the Licensing Team wish to undertake a review of Chichester District Council's existing policy and conditions relating to the taxi and private hire licensing regimes.

4.2 Existing policy was formulated and adopted by the General Licensing Committee in phases between 2010 and 2012. The policy is currently formed of the following sections:

- Driver & Vehicle General Policy
- Private Hire Driver Policy
- Private Hire Vehicle Policy
- Private Hire Operator Policy
- Hackney Carriage Vehicle Policy
- Hackney Carriage Driver Policy

- 4.3 In addition to the policy, conditions considered appropriate for attaching to taxi and private hire licences were also reviewed, amended and adopted during this time. All current policy documents and conditions can be viewed on the Council website via the following link - <http://www.chichester.gov.uk/article/25500/Taxi-and-private-hire-licensing---legislation-conditions-and-policy>
- 4.4 Since the adoption of both the policies and conditions, there have been a number of changes in legislation and working practices nationally, including developments in best practice and national guidance. Furthermore, the trade (taxi/private hire drivers, operators and vehicle owners) and officers have had several years' experience of working with the current policy and conditions. Consequently this has highlighted a number of areas that would benefit from being reconsidered and alterations made if deemed necessary, to ensure that the policy and conditions are fit for purpose.

Some of the key considerations are listed below.

Drivers

- Child Sexual Exploitation (CSE) mandatory training for licensed taxi and Private Hire Drivers
- Introduction of Knowledge Test for Private Hire Drivers on first application (already in place for Taxi drivers)
- Intervals at which medicals are undertaken (as a result of recent changes to the duration of drivers licences)
- Enforcement – Driver conduct/penalty points

Vehicles

- Age policy for vehicles
- Permitting Private Hire Operators to advertise on Private Hire Vehicles
- 'Special Event' vehicles (decommissioned emergency service vehicles • vintage vehicles • other non-standard type converted vehicles used for special events)
- Exemption Certificate for private hire vehicles (Clarifying criteria to be used)

Private Hire Operator

- Clarify that the operating base must be within the Chichester District
- 4.5 It is worth highlighting that the legislation governing taxi and private hire licensing does not place a legal duty on a Local Authority to adopt a policy or if a policy is in existence review it at defined points in time. However, by voluntarily creating such policies it assists the Local Authority with upholding public safety and providing a framework for consistent decision making.
- 4.6 It is acknowledged by officers that this is an extensive piece of work. As part of the review process it will be necessary to speak with a number of different bodies to gain feedback on the existing policy and conditions, in order to obtain a view as to which areas can be improved upon and if so how. Once information has been collated, then the policy and conditions can be re-drafted where appropriate. The final stage will be to undertake a formal public consultation with key stakeholders and the trade, and amend as appropriate, before placing before the General

Licensing Committee for consideration and adoption. The nature and length of the consultation will be determined at a later date but will be based upon national guidance and this Council's own policy in relation to public consultations.

- 4.7 As one of the key stakeholders in this process officers felt it may be appropriate to create a working group with a small number of selected members participating at such a group to enable officers to obtain a view as to how the General Licensing Committee would like to see the existing policy and conditions develop. The Terms of Reference, duration and frequency of such meetings are to be agreed.

5. **Background Papers**

- 5.1 Department for Transport – Taxi and Private Hire Vehicle Licensing - Best Practice Guidance (March 2010)
<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance>
- 5.2 Button on Taxis: Licensing Law and Practice (Third Edition)
- 5.3 Rotherham Licensing Policy (July 2015) – Considered best practice by the Local Government Association
<https://www.rotherham.gov.uk/taxi>
- 5.4 Chichester District Council – Existing Taxi and Private Hire Policy and Conditions
<http://www.chichester.gov.uk/article/25500/Taxi-and-private-hire-licensing---legislation-conditions-and-policy>

6. **Appendices**

None