

Rother District Council

Report to: Licensing and General Purposes Committee

Date: 15 January 2024

Title: Hackney Carriage and Private Hire Licensing Policy

Report of: Richard Parker-Harding, Head of Service Environmental Services, Licensing and Community Safety

Ward(s): All

Purpose of Report: To recommend changes to standard conditions to ensure the conditions adhere to Government guidance

Officer

Recommendation(s): **Recommendation to COUNCIL:** That the Hackney Carriage and Private Hire Licensing Policy be amended as follows:

- 1) that penalty points awarded under the Council's penalty points scheme remain on the licence for a period of three years;
- 2) new drivers be required to be trained on disability awareness, attitudes and behaviours and safeguarding from 1 April 2024 and existing drivers be trained before their next licence renewal after 1 October 2024;
- 3) new operators and their customer-facing staff be required to be trained on disability awareness from 1 April 2024 and existing operators and their staff to be trained before their next licence renewal after 1 October 2024; and
- 4) Vehicle Compliance Tests (VCT) to be carried out annually, except on vehicles more than 10 years old which will still be required to have a VCT every 6 months;

AND

It be **RESOLVED:** That the Council consult on:

- 5) amending the age condition for electric and hybrid vehicles and vehicles which are wheelchair accessible, to limit the age to 15 years;
- 6) amending conditions to permit windows to the rear of the B-pillar if they have a minimum light transmission of thirty percent or above; and
- 7) requiring all newly licensed hackney carriages to be white and no newly licensed private hire vehicles to be white from 1 October 2024.

Introduction

1. The Council licenses the drivers of hackney carriages and private hire vehicles, hackney carriage and private hire vehicles and the operators of private hire vehicles. Hackney carriages can apply for hire and wait on taxi ranks. Private hire vehicles can only be booked (in advance) through an operator.
2. The primary role of licensing is the protection of the public. The Council has therefore adopted a licensing policy and conditions to this end. The last policy was adopted in 2023.
3. In November 2023, the Government published best practice guidance. The authority does already meet most of the best practice in the guidance and officers have made recommendations where we do not comply, see Appendix A.
4. If the Council is proposing significant changes to its policy, it must consult. The recommendations to Council within this report are considered minor and can be approved by Council in February 2024. The Council will carry out consultation with the trade concerning the more significant changes to the policy and report back to the Committee in May 2024.
5. The guidance sets out in detail the requirement to ensure that disabled people are protected and that they can access taxis. It recommends recording the number of wheelchair accessible vehicles and carrying out surveys to ensure the Equalities Act 2010 is being complied with. This creates a challenge for the authority. We are aware of the very low numbers of wheelchair accessible vehicles. Although not all disabled people require or can access wheelchair accessible taxis, they require taxis to be suitable for their use.
6. The Council's policies should encourage much greater provision of taxis for disabled people. It is not clear how carrying out surveys, as recommended, will greatly assist this. Officers will need to consider this further and consult other Councils about what action can be taken.

Conclusion

7. To ensure the authority is protecting public safety to a reasonable standard, it should comply with the best practice guidance published by the Government.

Human Rights Implications

8. A licence issued by the Council is a possession protected by the Act.

Crime and Disorder

9. The Council's policy should act to reduce crime to passengers and drivers.

Climate Emergency / Environmental

10. The Council's policy should act to reduce carbon emissions by promoting the use of electric vehicles.

Equalities and Diversity

11. The Council's policy should act to promote accessibility to taxis for disabled persons.

Consultation

12. This should be carried out if significant changes to policy are being proposed. The results of the consultation will be reported back to this Committee in May 2024.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	Yes	Equalities and Diversity	Yes
Crime and Disorder	Yes	External Consultation	Yes
Environmental	Yes	Access to Information	No
Risk Management	No	Exempt from publication	No

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Appendix:	A - Best Practice Guidance Summary
Relevant Previous Minutes:	LG22/20 LG22/21
Background Papers:	Hackney Carriage and Private Hire Policy and Guidance (windows.net)
Reference Documents:	Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK (www.gov.uk)