

Rother District Council

Report to	-	Council
Date	-	26 February 2024
Report of the	-	Licensing and General Purposes Committee
Subject	-	Reference from the Licensing and General Purposes Committee – Hackney Carriage and Private Hire Licensing Policy

The Council is asked to consider the recommendation arising from the Licensing and General Purposes Committee meeting held on 15 January 2024 as set out below.

LICESNING AND GENERAL PURPOSES COMMITTEE – 15 JANUARY 2024

LG23/12. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Members received and considered the report of the Head of Environmental Services, Licensing and Community Safety outlining the Council's recommended changes to standard conditions of the Hackney Carriage and Private Hire Licensing Policy, to ensure the conditions adhered to the Government's best practice guidance.

The Council licensed the drivers of hackney carriages and private hire vehicles, the hackney carriage and private hire vehicles themselves and the operators of private hire vehicles. Hackney carriages could apply for hire and wait on taxi ranks. Private hire vehicles could only be booked (in advance) through an operator. The primary role of licensing was the protection of the public and therefore the Council had adopted a Licensing Policy and conditions to this end. The last policy was adopted in 2023.

In November 2023, the Government published best practice guidance. The authority already met most of the best practice in the guidance and officers had made recommendations where the Council did not comply, which was detailed at Appendix A to the report.

Seven recommendations were highlighted; four were considered minor and could be formally approved by Council in February 2024. The other three were more significant changes to the Policy and therefore a public consultation would need to be held. Once completed, the consultation results would be reported to the Committee at its meeting scheduled to be held on 22 May 2024.

The guidance set out in detail the requirement to ensure that disabled people were protected and could access taxis. The Council's policies should encourage much greater provision of taxis for disabled people, but it was not clear how carrying out surveys, as recommended, would greatly assist this. Officers would need to consider this further and consult other local authorities about what action could be taken.

Safeguarding / Disability Awareness was considered extremely important, and it was recommended that appropriate facilitators were sourced to deliver this type of training, to include assessment exercises. Incentive schemes (monetary) were also suggested to encourage drivers to adapt their vehicles for disability access etc. Caution was aired, as this could lead to unfairness, and it was necessary that budgets were balanced. Concern was raised regarding the issue of 'tinted' windows, and how drivers could ascertain their vehicle's light transmission percentage. The manufacturer's vehicle specification should stipulate this information, plus officers had access to a light transmission testing machine. Members were advised that the majority of other local authorities' hackney carriage vehicles were colour distinctive, e.g. Hastings Borough Council – dark blue, with a crest.

Members were supportive of and agreed the recommendations as detailed in the report, with an additional recommendation for the consultation, namely 8) that all drivers received disability awareness, attitudes and behaviours and safeguarding training annually. For clarity reasons, it was also suggested that the word 'tinted' be added after the word transmission in Recommendation 6).

The Committee agreed that the public consultation should be accessible to all relevant organisations / groups, was designed using the plain English guide and was user-friendly. It was also agreed that the consultation be developed, in consultation with the Chair of the Licensing and General Purposes Committee and Councillor Timpe.

RECOMMENDED: 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 six months.

Licensing and General Purposes Committee also **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 (tinted) of 30% or above;
- 7) requiring all newly licensed hackney carriages to be white and no newly licensed private hire vehicles to be white from 1 October 2024; and
- 8) all drivers receive disability awareness, attitudes and behaviours and safeguarding training annually.

(Licensing and General Purposes Committee Agenda Item 7)

Councillor R. Thomas
Chair, Licensing and General Purposes Committee