

Hackney Carriage (Taxi) and Private Hire (PH) Licensing Policy 2021-2026

Purpose

To consider the revised draft Hackney Carriage (Taxi) and Private Hire (PH) Licensing Policy 2021-2026 in relation to exercising functions under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

Wards Affected: All

Recommendation

The Licensing Committee is advised to note the contents of this report and to approve the attached revised draft Hackney Carriage (Taxi) and PH Licensing Policy 2021-2026.

1. Background

- 1.1 In July 2020 the Department for Transport (DfT) issued Statutory Taxi and PH Vehicle Standards. This document was published under section 177(1) of the Policing and Crime Act 2017.
- 1.2 The document recommends that all councils make publicly available a cohesive policy document that brings together all their procedures on Taxi and PH vehicle licensing.
- 1.3 Surrey Heath's revised draft Hackney Carriage (Taxi) and Private Hire (PH) Licensing Policy aims to meet the DfT's expectations, building on our existing good practice.
- 1.4 Following consideration of the draft Policy at the Licensing Committee on the 24 March 2021 approval was given to put the draft Policy out to consultation.
- 1.5 Consultation on the draft Policy started on the 12th May and lasted for 6 weeks. As part of the consultation we made contact with the groups and persons listed below:
 - a) Taxi and PH Trade
 - b) All licensed Taxi drivers and proprietors
 - c) All licensed PH drivers and operators
 - d) The Chief Officer of Police for our area
 - e) Persons/bodies representative of disabled persons
 - f) Persons/bodies representative of business and residents in the area.

- g) Surrey Heath (SH) Environmental Health
- h) SH Planning and Development Control
- i) SH Community Safety
- j) Other Local Authorities in Surrey
- k) Surrey County Council (SCC) in their capacity as the Highways Authority
- l) SCC – Children’s Services
- m) SCC- Development Control
- n) Trading Standards and Consumer Protection
- o) Age Concern
- p) Pub watch
- q) Groups representing vulnerable travellers.

- 1.6 In addition we arranged two meetings with members of the Taxi and PH trade to give them an opportunity to comment on and discuss the implications of the draft Policy. These meetings were held via zoom on the 19th May and 1st June. Notes of the meetings are attached as Annex A.
- 1.7 All Ward Councillors were contacted to give them an opportunity to comment.
- 1.8 The consultation period ended on the 21st June and we are now in a position to consider the results.
- 1.9 We received 12 written representations on the draft Policy as outlined below. Copies of these representations are attached as Annex B.
- 1.10 The draft Policy has been updated where appropriate to reflect the comments made in the representations and during the zoom meetings. Where we have amended the draft Policy the changes are highlighted in red. Annex C.
- 1.11 Once approved the Policy will be kept under review and will be formally reviewed in 5 years.

2. Results of the Consultation

- 2.1 By the end of the consultation period (21st June) we had received 12 written representations. 11 from the trade and 1 from another local authority. These are attached as Annex A. 4 of the representation appeared to be copies of each other.
- 2.2 The representations have been reviewed and a table summarising our response is attached as part of Annex A. The draft Policy has been amended where appropriate to reflect the comments and concerns made in the representations. Changes made to the draft Policy are highlighted in red.

- 2.3 17 members of the trade attended the zoom meetings, 8 on the 19th of May and 9 on the 1st of June. One member of the trade attended both meetings. Notes of both meetings are attached as Annex B.
- 2.4 The comments made during the meetings have been reviewed and the draft Policy amended where appropriate.
- 2.5 It is worth noting that a theme emerged from both the meetings and representations with regard to a number of the proposed changes.
- 2.6 This included proposals to remove taxi meters from PH vehicles and a new requirement to add Surrey Heath Borough Council to the vehicle roof sign. In light of the comments made these changes have been removed from the Policy.
- 2.7 The proposal to require a 'Big Face Badge' to be located in a position clearly visible to the passenger raised concern amongst the trade. This requirement has been added as a safety measure. Whilst we recommend that this remains in the Policy we are committed to working with the trade to address their concerns regarding the potential damage to their vehicles that the Badge may cause. We will also be looking to rationalise our requirement for badges and signage.
- 2.8 Substantial concern was expressed by members of the trade with regard to the impact that the presence of Uber in the Borough is having. These concerns will be responded to separately as they fall outside of the remit of our Policy.
- 2.9 As a separate consultation we are still planning to seek views on whether there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse effect on the safety of users, including children or vulnerable adults. This will include seeking the views of the local police.

3. Training

- 3.1 The DfT Statutory Taxi and PHV Guidance (2020) requires that all individuals that determine whether a licence is issued should be required to undertake sufficient training.

The Policy commits to ensuring that this requirement is met for both Members and officers.

4. Resource Implications

- 4.1 There are no additional resource implications arising from changes to the draft Policy.

- 4.2 This is with the exception of providing training for both Members and officers. These costs will be met from existing budgets and may in the future be covered by the Licensing Fees and Charges.

5. Recommendation

The Licensing Committee is advised to note the contents of this report and to approve the attached revised draft Hackney Carriage (Taxi) and PH Licensing Policy 2021-2026.

Annexes	<p>Annex A: Representations made following consultation on the draft Policy.</p> <p>Annex B: Notes of zoom meetings with Taxi and PH trade held on 19th May and 1st June.</p> <p>Annex C: Surrey Heath –revised draft Hackney Carriage (Taxi) and Private Hire (PH) Licensing Policy 2021-2026.</p>
Background Papers	<p>Department for Transport:</p> <ul style="list-style-type: none"> • Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (March 2010) • Statutory Taxi and Private Hire Vehicle Standards (July 2020)
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