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## Report of the Assistant Chief Executive (Corporate Governance)

**TO: LICENSING AND REGULATORY PANEL**

**Date: 7<sup>TH</sup> JULY 2009**

**Subject: TAXI & PRIVATE HIRE VEHICLE LICENSING – BEST PRACTICE GUIDANCE**

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**Electoral Wards Affected:**

All

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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### Executive Summary

- 1.1 The DfT publishes best practice guidance across the transport industry. The guidance was last updated in 2006 and is being reviewed prior to re-issue.
- 1.2 This is an opportunity for Elected Members and Officers to contribute to developing best practice and also highlight any concerns this Authority has which may effect the city.

#### 2.0 Purpose Of This Report

- 2.1 To inform Members of the consultation being undertaken by the Department for Transport (DfT) in respect of best practice issues around Hackney Carriage and Private Hire driver and vehicle licenses granted by local authorities.
- 2.2 Members are asked to consider the response of Officers to the consultation and make any appropriate comments.

#### 3.0 Background Information

- 2.1 The DfT is the key Government agency involved in Taxi and Private Hire Licensing issues as well as all other transport issues.
- 2.2 In 2006 they consulted with all local authorities with draft guidance of best practice, and local authorities were asked to comment. The response was brought to Members and after adjustments was forwarded to the DfT.

#### 4.0 Main Issues

- 3.1 The main issue is that local authority Officers and Members consider the most recent and updated DfT best practice guidance and comment on it as appropriate.

3.2 A copy of the latest best practice guidance appears as **Appendix A** and the draft response to it appears as **Appendix B**.

## **5.0 Implications For Council Policy And Governance**

5.1 The response from this authority only reflects our policy and comments on other issues where it considers best practice could be developed. After the DfT has published its final best practice guidance the Council will then consider the national best practice guidance when developing it's own policies.

## **6.0 Legal And Resource Implications**

5.1 Each local authority may set its own policy and conditions in respect of issues relating to the licensing of drivers and vehicles, but Members should be aware that if such a policy or condition is tested in Court reference may be made to the available best practice guidance issued by the DfT. That is not to say the Council has to follow letter by letter the best practice guidance, but must be in a position to justify any decisions or policies or conditions that are put in place.

## **6.0 Conclusions**

6.1 It will be seen that best practice guidance has moved on in a number of ways and that Leeds significantly follows the majority of the best practice in the document.

6.2 This is an opportunity for Members to reflect on best practice and propose any issues they think are relevant to this local authority, but also to pass comment on any issues they think should be dealt with centrally by the Department of Transport.

## **7.0 Recommendations**

That Members consider the draft best practice guidance and the draft response prepared by Officers and either approve it or ask that changes or additions be made to the document so that it may be forwarded immediately to the DfT.