

Taxi & Private Hire Licensing – A single licensing policy

Date: 14th December 2021

Report of: Taxi & Private Hire Licensing Manager

Report to: Licensing Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- 1 The Council, in its role as the licensing authority for the hackney and private hire trades, has a paramount obligation to ensure the safety of the public.
- 2 This report presents to Licensing Committee members a collated Taxi and Private Hire Licensing Policy document for approval.
- 3 The requirement to produce the single Taxi and Private Hire Licensing Policy document was made by the Department for Transport (DfT) in the Statutory Taxi and Private Hire Vehicle Standards, published in July 2020.
- 4 This council previously endorsed many individual policies introduced over decades. These are now summarised into one single Taxi and Private Hire Licensing Policy document.
- 5 It is important to note that this initial Taxi and Private Hire Licensing Policy introduces no new policy or regulatory content, although the report provides an initial policy review timetable, and future amendments will be made after the usual consultation mechanisms and members' approval undertaken.
- 6 Included in Appendix A is a list of the separate policies and conditions for future review of each part of the Taxi and Private Hire Licensing Policy for Members' consideration.

Recommendations

1. In response to the DfT Statutory Standards guidance, Licensing Committee members are asked to endorse the proposed Taxi and Private Hire Licensing Policy, this single document comprises a summary of existing policies, conditions, and byelaws, whilst the full and previously agreed text can be found in the policies and conditions indicated in the appendices.
2. Add additional recommendation to ask for Members' approval of indicative review timetable

Why is the proposal being put forward?

- 1 That committee members endorse the Taxi and Private Hire Licensing Policy.

What impact will this proposal have?

Wards affected:

Have ward members been consulted?

Yes

No

- 2 The Taxi and Private Hire Licensing Policy document produces no new policy and does not make any changes to existing policy. It simply collates all existing licensing policy into one document.

What consultation and engagement has taken place?

- 3 A national consultation on the Statutory Taxi and Private Hire Vehicle Standards was completed in 2019.

The contents of the Taxi and Private Hire Licensing Policy have undergone the required council consultation and engagement process at time of review or implementation.

For minor changes or updates, it is anticipated that the council will not need to consult, but can make the necessary administrative or operational decisions.

For significant changes, such as major changes to policies and procedures, the council will need to engage and consult, with a wide range of trade, stakeholders and other licensing authorities. In order to support and strengthen the regional approach, the council will also share and engage neighbouring authorities in these changes, and it may be relevant to strengthen communication with other core cities, who may be in a similar position to Leeds.

What are the resource implications?

- 4 None.

What are the legal implications?

- 5 The Statutory Taxi and Private Hire Vehicle Standards does not alter key UK legislation, nor does it make any new legislation. However, it is the strongest possible guidance central government can issue in guiding licensing authorities to review and update their strategies, rules and procedures. It is also much more comprehensive, prescriptive and detailed than the previous 2010 guide to good practice, raising a council's attentiveness for public safety.

The standards advise all licensing authorities that any failure to follow very closely the guidance without sufficient justification could be detrimental to the licensing authority if challenged.

The draft Taxi & Private Hire Licensing Policy proposed follows the exact format prescribed by the Department for Transport and summarises the key policy elements and processes for each area of the policy. The supporting conditions documents (such as for driver conditions, vehicle conditions, operator conditions, etc.), remain in place, and are unaltered.

What are the key risks and how are they being managed?

- 6 When formulating a Taxi and Private Hire Licensing Policy, the primary and overriding objective must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated.

Does this proposal support the council's three Key Pillars?

Taxi & Private Hire Licensing policies contribute to the following aims:

Best Council Plan

Towards being an Enterprising Council

Our Ambition and Approach

Our Ambition is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

Our Approach is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

Our Best Council Outcomes

Make it easier for people to do business with us.

Our Best Council Objectives

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs;
- Boosting the local economy; and
- Generating income for the council.

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time; and
- Improving customer satisfaction.

The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds;
- Effectively tackle and reduce anti-social behaviour in communities;
- Safeguarding children and adults at risk;
- Reducing vehicle emissions and promoting the use of cleaner vehicles.

Options, timescales and measuring success

What other options were considered?

7 The Council considered consulting on possible changes from existing policies and conditions documents, which is a step other licensing authorities have taken in developing their single licensing policy. However, owing to representations received concerning the council's previous consultations, when consultation on more than one theme took place at the same time, it was decided to issue the Taxi and Private Hire Licensing Policy clarifying the current policies and conditions, and propose an indicative timetable for reviewing parts of the policy in future.

How will success be measured?

8 Licensees gain a more informative understanding of legislation and policy, which may reduce the number of complaints, requests for clarification and appeals.

- 9 Licensing Committee members and Councillors will have one definitive policy document covering broad licensing themes, which should better aid understanding of taxi and private hire licensing than multiple separate conditions documents.
- 10 Stakeholders will have one definitive policy document covering broad licensing themes, which should better aid understanding of taxi and private hire licensing than multiple separate conditions documents.

What is the timetable for implementation?

- 11 If approved at Licensing Committee, the Taxi and Private Hire Licensing Policy will take effect on 1 January 2022.
- 12 A suggested prioritisation order for future policy reviews would need to be developed, but a suggested starting point is the following:
 - 1 Vehicle policy review, including CCTV in vehicles
 - 2 Operator policy review
 - 4 Decision making review
 - 5 Driver policy review
 - 6 Compliance and enforcement review
 - 7 Gathering and sharing information review

The reviews would involve a mix of working group, consultations, requests for comments, depending on the scale and complexity of the reviews. It is likely that some large policy reviews would need to be broken down into smaller reviews.

Appendices

Appendix 1 - Implementation & Revision of Policy, Conditions and Procedures

Background papers available

Report on Department for Transport Standards to Leeds City Council Licensing Committee, January 2021: <https://democracy.leeds.gov.uk/documents/g10275/Public%20reports%20pack%2026th-Jan-2021%2010.00%20Licensing%20Committee.pdf?T=10>

Department for Transport July 2020: [Statutory taxi and private hire vehicle standards - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Report to Leeds City Council Licensing Committee, March 2019 ([Public Pack](#)) [Taxi & Private Hire Licensing – New Statutory Guidance from the Department of Transport Agenda Supplement for Licensing Committee, 05/03/2019 10:00 \(leeds.gov.uk\)](#)