

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

PUBLIC PROTECTION COMMITTEE

Date 20th August 2019

1. Taxi and Private Hire Licensing Policy

Submitted by: **Head of Environmental Health Services & Licensing
Administration Team Manager**

Portfolio: **Finance & Resources**

Ward(s) affected: **All**

Purpose of the Report

To present the final policy document to Members for it to be approved and a date for implementation to be agreed.

Recommendations

- 1. To approve the final Taxi and Private Hire Licensing Policy document;**
- 2. To consider and determine the implementation date/s for the policy to come into force.**

1. Background

- 1.1 The Council's current Taxi and Private Hire Licensing Policy was implemented on 1st May 2015. A review of this policy began in August 2017 and a draft policy was put to Members on 18th September 2018. The draft policy was sent out for consultation at the start of October 2018 for a 12 week period due to finish on 21st December 2018. A letter was sent to every driver, vehicle proprietor and operator licensed by the Council. The letter detailed the closing date for representations, where the document could be viewed and the methods of submitting representations in writing. The draft policy was also emailed to the other bodies listed within the document as consultees.
- 1.2 The policy document proposed a wide scale reform of the current policy. The review determined that there were a number of areas that required updating, amending, removing or including to ensure that the Council has a policy that was fit for purpose in respect of the legislative framework and administration of the service.
- 1.3 The proposals were considered appropriate to ensure the protection of the public by improving the standard of vehicles, operators and drivers and to assist and/or simplify the administrative process.

2. Issues

- 2.1 The draft policy was considered by the Public Protection Committee at the meeting held on 11th June 2019. At the meeting the Committee determined the final content to be included within the Council's Taxi and Private Hire Licensing Policy. The Committee agreed that the policy would be redrafted following the decisions made at the meeting. Once the document had been redrafted then it would return to Committee to be approved and implementation date/s agreed.

- 2.2 The draft policy document had now been redrafted to incorporate the decision made by the Committee at the June meeting. A copy of the document is attached at Appendix 1.
- 2.3 There are two areas of the policy that require completion before they can be implemented. Those areas are:
- The in-house Knowledge Test; and
 - Disability Equality Training.
- 2.4 The Knowledge Test requires the procurement of the devices to administer the test and the test being built before this section of the policy can be implemented. Quotes are currently being obtained by the Council ICT department in respect of the devices and Officers are compiling the question set and framework for the test before it is built by ICT. It is intended that the devices and test will be ready by the end of 2019.
- 2.5 The Disability Equality Training requires a suitable provider to be contracted to carry out the training on the Council's behalf. Officers have been in contact with two local providers and have prepared an Invitation to Quote. The results of this may mean that the Council are required to go through a formal tendering process if the size of the contract is above £25,000. It is intended that a suitable provider will be sourced and be in a position to administer the training course by the end of 2019.

3. **Options Considered**

- 3.1 That Members consider the options outlined below:
- To approve the final policy document (**RECOMMENDED**); or
 - To amend the final policy document; and
 - To implement the entire policy on 1st January 2020; or
 - To partially implement the policy on 1st November 2019 and the remaining sections on 1st January 2020. Everything would be implemented on 1st November EXCEPT the in-house knowledge test and disability equality training provisions which would be implemented from 1st January 2020 (**RECOMMENDED**).

4. **Proposal**

- 4.1 That Members approve the final policy document attached at Appendix 1 to be the new Council Taxi and Private Hire Licensing Policy.
- 4.2 That Members agree implementation timescales for the policy to come into force.

5. **Reasons for Preferred Solution**

- 5.1 To create a robust and proportionate taxi licensing policy that is fit for purpose and to ensure that those licensed by the Local Authority as Drivers, Vehicle Proprietors and Operators meet the highest possible standards ensuring Public Safety at times.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 6.1 *The Council's corporate priorities are:*
- Local services that work for local people
 - Growing our people and places

- A healthy, active and safe borough
- A town centre for all

7. **Legal and Statutory Implications**

- 7.1 There are no statutory requirements on the Council to have a Taxi Licensing Policy, however once in place it can be used as the basis of administrative decisions that we are required to take under the relevant legislation.
- 7.2 That decisions made by the Committee when formulating the final policy document may be subject to Judicial Review.

8. **Equality Impact Assessment**

- 8.1 Not applicable

9. **Financial and Resource Implications**

- 9.1 The function is set on a cost recovery basis where possible, with the cost of the licenses set to recover the Councils costs.
- 9.2 Individual elements of the applications and renewals are new functions, such as the introduction of an in-house knowledge test, which will incur additional staff resource to support, however the cost of which will be covered by the fee charged.

10. **Major Risks**

- 10.1 Not applicable

11. **Sustainability and Climate Change Implications**

- 11.1 Not applicable

12. **Key Decision Information**

- 12.1 Not applicable

13. **Earlier Cabinet/Committee Resolutions**

- 13.1 Licensing & Public Protection Committee – 18th September 2018
Licensing & Public Protection Committee – 11th December 2018
Licensing & Public Protection Committee – 11th June 2019

14. **List of Appendices**

- 14.1 Appendix 1 – Final Taxi and Private Hire Licensing Policy

15. **Background Papers**

- 15.1 Draft Taxi & Private Hire Licensing Policy v7