

13 March 2019		ITEM: 6
Licensing Committee		
Taxi and Private Hire Vehicles, Consultation on Statutory Guidance for Licensing Authorities		
Wards and communities affected: All	Key Decision: Key	
Report of: Paul Adams, Joint Licensing Manager		
Accountable Assistant Director: Andy Millard, Assistant Director of Planning, Transportation and Public Protection.		
Accountable Director: Steve Cox, Corporate Director of Place.		
This report is Public		

Executive Summary

The Department for Transport are seeking views on proposed recommendations contained in draft statutory guidance to taxi and private hire vehicle (PHV) licensing authorities on how their licensing powers can be exercised in order to safeguard children and vulnerable adults.

This report introduces the draft statutory guidance and along with officers proposed response to the consultation, for consideration and input by the Licensing Committee.

1. Recommendation(s)

1.1 That the Licensing Committee considers the proposed draft guidance along with the draft response and feeds into the Licensing Department through the Chair any additional thoughts or comments for inclusion in the authority's response before 11 April 2019.

2. Introduction and Background

2.1 The Department for Transport are seeking views on proposed recommendations contained in draft statutory guidance to taxi and private hire vehicle (PHV) licensing authorities on how their licensing powers can be exercised in order to safeguard children and vulnerable adults. A copy of the draft guidance is attached as **Appendix 1**.

2.2 Thurrock Council is a licensing authority for both Hackney Carriage and Private Hire (PHV) vehicles, drivers and operators.

2.3 The Council currently have issued the following licences:

- Private Hire Vehicles
- Hackney Carriage Vehicles
- Private Hire Operators
- Drivers

2.4 In relation to the Licensing of Drivers, the council currently requires:

- An Enhanced DBS Check, including barred list checks
- Certificate of good conduct for applicants that have resided abroad.
- DVLA group 2 standard Medical
- DVLA licence check
- Have passed the local knowledge test
- Have attended the CSE taxi driver training
- Have passed the Passenger Assistant Training Scheme (PATS)

The council also has a policy on the Relevance of Convictions, Cautions, Complaints and Related Matters, along with standards conditions that are attached to each licence.

2.5 In relation to vehicles the council has a Taxi Licensing Policy that covers the type and specification for vehicles, along with conditions around regular testing, inspection and maintenance.

2.6 In relation to Private Hire Vehicle Operators, the council has no policy, but applies the suitability tests contained within the legislation.

3. Issues, Options and Analysis of Options

3.1 A draft response to the questions posed in the consultation has been prepared by officers, for consideration and input by member of the Licensing Committee, and is attached as **Appendix 2**.

3.2 The Council already is in line with much of the proposed guidance and any changes would have minimal impact on those currently licensed with us. What national guidance would bring would be the start of a level playing field across the country for all licence holders, and combined with the proposals in the Governments response to their Report of the Task and Finish Group on Taxi and Private Hire Vehicle Licensing, is likely to see national minimum standards for all licensing authorities.

3.3 This consultation runs for 10 weeks, from 12 February 2019, until 22 April 2019. To enable officers to compile the Authorities response, it is suggested that Members wishing to add additional comment, do so via the Chair of Licensing Committee, by 11th April 2019.

4. Reasons for Recommendation

- 4.1 Members may require additional time to consider the consultation document. Officers will liaise with the chair on the final response before submission, to ensure all views are included.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 There is no requirement for any consultation in relation to this matter, this report in itself is the authorities consultation with members to seek a full view on behalf of the licensing authority.

6. Impact on corporate policies, priorities, performance and community impact

None

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Management Accountant

There are no direct financial implications arising from this report.

7.2 Legal

Implications verified by: **Simon Scrowther**
Principal Solicitor – Litigation and Employment

There are no legal implications of this report.

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
Community Engagement and Project Monitoring Officer.

The draft guidance has been provided with a full impact assessment; no additional comments are required for this report.

- 7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

- 8. Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

9. Appendices to the report

- Appendix 1 – Taxi and Private Hire Vehicle Licensing: Protecting Users: Statutory Guidance for Licensing Authorities.
- Appendix 2 – Taxi and Private Hire Licensing Statutory Guidance: Impact Assessment.
- Appendix 3 – Taxi and Private Hire Vehicle Licensing: Protecting Users – Draft consultation response.

Report Author:

Paul Adams

Joint Licensing Manager

Licensing Team, Public Protection