
REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICE COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	07 NOVEMBER 2024	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	EXECUTIVE DIRECTOR - LAW AND PEOPLE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA MCHUGH SENIOR LICENSING OFFICER 01283 228745 emma.mchugh@southderbyshire.gov.uk	DOC:
SUBJECT:	REVIEW OF PRIVATE HIRE LICENSING POLICY AND CONDITIONS	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That Members approve the changes to the Private Hire Licensing Policy and Private Hire Vehicle, Driver and Operator Conditions at Appendices 1-4 to come into effect on 18th November 2024.
- 1.2 That Members delegate to the Executive Director, Law and People the power to amend the Private Hire Licensing Policy in line with the revised Institute of Licensing's Suitability Guidance for Taxi and Private Hire Licensing.

2. Purpose of Report

- 2.1 To provide Members with the necessary information to be able to consider the recommendations contained in paragraph 1.1 and 1.2 of this report.

3. Detail

- 3.1 In November 2023, the Department of Transport released the updated Taxi and Private Hire Vehicle Licensing Best Practice Guidance. In light of the updated Best Practice Guidance and the changing landscape of the taxi and private hire trade, the Council has undertaken an earlier full review of the private hire service to incorporate the recommendations from the Best Practice Guidance and to modernise the existing service. A copy of the draft Private Hire Licensing Policy and private hire driver, vehicle and operator conditions are attached as **Appendix 1 to 4**. The proposed changes are tracked within the documents for ease but the main proposed changes to the Policy and Conditions are:

- To reduce the engine capacity of a private hire vehicle from 1250cc to 999cc.
- To add in a requirement for all private hire vehicles to have no less than 2mm of tread on each tyre at the time of each depot test;

- Daily walkaround of the private hire vehicle to ensure it is fit for private hire purposes and the check to be retained.
- Remove the minimum age of 8 years old for all private hire vehicles.
- Amend the maximum age limit of private hire vehicles from 10 years to 15 years old.
- From 1st January 2027, all private hire vehicles must be compliant with the Euro 6 emission standards.
- All private hire vehicles to be maintained in exception conditions and an application may be refused or the licence revoked if the vehicle fails to meet the requirements.
- Amend the minimum light transmission for all windows, except windscreens, from 70% to 30%.
- The Council will not license vehicles categorised as Category S but will license those vehicles categorised as Category N if they meet the other requirements to be a private hire vehicle.
- Removal of the topographical element of the knowledge test.
- Addition of safeguarding and disability awareness questions on the knowledge test.
- Amend the private hire driver's licence application process to require the disability awareness training and safeguarding certificates to be submitted within 6 months of the licence being issued rather than before the licence is granted.
- All operators and their customer facing staff to undertake disability awareness training.
- Removal of the requirement to keep a first aid kit and fire extinguisher in the private hire vehicle.
- All digital booking platforms provided by an operator should comply with accessibility standards.

Consultation

- 3.2 A Driver's Forum was held on 13th May 2024 with 21 driver and operators in attendance. The drivers and operators agreed with the Council's proposals.
- 3.3 With the agreement of the private hire trade at the Driver's Forum, Officers conducted an 8 week consultation exercise on the proposed amendments with all existing licence holders and members of the public via the Council's website and social media pages.
- 3.4 In addition, a survey was sent to all existing licence holders but only 3 responses were received. No amendments have been made to the policy or conditions as a result of the 3 responses.
- 3.5 Two further responses were received during the consultation period in relation to the proposed amendments. One response requested the engine size be reduced further to 990cc. The policy and conditions have been amended to reflect this request. The second response requested there be no limits on tinted windows and the Council accept manufacturers tints as standard. No amendments have been made to the policy as a result of this response as the requirement for 30% minimum light transmission is in line with the Best Practice Guidance.

Institute of Licensing Suitability Guidance for Taxi and Private Hire Licensing

- 3.6 In 2019, the Licensing Authority adopted the Institute of Licensing's Suitability Guidance and incorporated this into the Private Hire Licensing Policy. This appears

as Appendix 1 of the Policy titled 'Guidance on Determining the Suitability of Applicant and Licensed Drivers in the Private Hire Trades.' This Guidance is currently under review therefore it is requested that the Executive Director, Law and People be authorised to amend the Private Hire Licensing Policy with the revised Suitability Guidance once it has been released.

4. Financial Implications

4.1 None directly arising from this report.

5. Coorporate Implications

Employment Implications

5.1 None directly arising from this Report.

Legal Implications

5.2 The Policy and Conditions ensure that the Council's function as Licensing Authority is undertaken in a consistent and objective manner. The Policy and Condition are proposed to be varied following proper consultation.

Council Plan Implications

5.3 These proposals will continue to demonstrate to members of the public that the Council takes the protection of local residents, children, and vulnerable adults from the potential harms of private hire licensing seriously, which contributes to the priority of supporting our communities.

Risk Impact

5.4 None

6. Community Impact

Consultation

6.1 Consultation has taken place with all relevant bodies.

Equality and Diversity Impact

6.2 None

Social Value Impact

6.3 The proposals will protect all residents in South Derbyshire from the potential harms of poor private hire licensing standards.

Environmental Sustainability

6.4 None

7. Background Papers

Local Government (Miscellaneous Provisions) Act 1976
Statutory Taxi and Private Hire Standards
Taxi and Private Hire Vehicle Licensing Best Practice Guidance