

General Licensing Committee



Report of Head of Housing and Environment

Author: Laura Driscoll

Telephone: 01235 422561

E-mail: laura.driscoll@southandvale.gov.uk

Cabinet member responsible: David Rouane

Tel: 07957 287799

E-mail: david.rouane@southoxon.gov.uk

To: General Licensing Committee

DATE: 28 January 2021



Review of Joint Taxi Licensing Policy

Recommendation(s)

(a) that the Committee considers the draft revised joint taxi licensing policy at Appendix A, and

(b) subject to any further amendments approves a consultation exercise to seek the views of the trade and relevant stakeholders on the revised policy.

Purpose of Report

1. To provide the General Licensing Committee with an opportunity to review the proposed amendments to the Joint Taxi Licensing Policy in advance of a consultation exercise.

Strategic Objectives

2. The relevant strategic objectives are 'Openness and accountability' and 'Improved Economic and Community Wellbeing'. The policy will also ensure the council is meeting its statutory responsibilities.

Background

3. The current Joint Taxi Licensing Policy (policy) was published in 2013. There are no statutory requirements in respect of a review of this policy, but the aim is to review it every five years.

Proposed policy

4. The proposed new policy is attached at **Appendix A**.
5. A summary of changes that have been made are outlined, and an explanation of the reasons for the changes, can be found at **Appendix B**.
6. Some of the changes made reflect new legislation, such as the Deregulation Act 2015 and the Immigration Act 2016. The working practices of the licensing team have already been amended to ensure that the council complies with the requirements of such legislation.
7. In addition, the Department for Transport (DfT) published Statutory Taxi and Private Hire Vehicle Standards in July 2020. In their introduction to this document, the DfT states that they expect the standards to be implemented “unless there is a compelling local reason not to” (1.3) and that “as the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority’s practice...any failure to adhere to the standards without sufficient justification could be detrimental to the authority’s defence” (2.8).
8. The DfT also confirms that any changes in licensing requirements should be followed by a review of the licences already issued, but there should be a pragmatic approach to allow licence holders the opportunity to adapt or change their vehicles, or obtain the relevant training course or qualification. As a practical example of this, where existing licensed drivers are next due for renewal, the condition that they are required to attend refresher safeguarding and disability awareness training will then take effect, but the council would allow a six month window to allow the driver time to attend the training before considering any enforcement action.

Consultation

9. The consultation will run for six weeks from early February to the middle of March. This will be a public consultation, and in addition will be sent to the following:
 - all licensed drivers and operators
 - Community Safety and Thames Valley Police
 - All local authorities in Oxfordshire (including Oxfordshire County Council) and other neighbouring local authorities
10. Once the consultation period is complete, any comments received will be taken into consideration and a further report brought back to this committee with a summary of responses and a final version of the policy for consideration of adoption, with a view to it taking effect from June 2021.

Financial Implications

11. There are no anticipated financial implications arising from the adoption of the proposed policy.

Legal Implications

12. The policy has been drafted to reflect current legislative requirements and statutory guidance. The policy must be taken into consideration when making decisions in respect of matters relating to hackney carriage and private hire.

Risks

13. Failure to properly consider the policy could result in the councils not complying with the legislation or statutory guidance. Having a clear policy helps to ensure that licensing decisions are fair, consistent and comply with the legislation.

Other Implications

14. There are no other implications at this stage.

Conclusion

15. Committee is recommended to (a) consider the draft revised joint taxi licensing policy at Appendix A, and (b) subject to any further amendments approves a consultation exercise to seek the views of the trade and relevant stakeholders on the revised policy.

Background Papers

- Appendix A – Draft Joint Taxi Licensing Policy
- Appendix B – Summary of changes