

---

<b>Subject:</b>	<b>HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY 2022-2027</b>
<b>Meeting and Date:</b>	<b>Cabinet - 17 January 2022</b>
<b>Report of:</b>	<b>Diane Croucher, Head of Regulatory Services</b>
<b>Decision Taken By:</b>	<b>Councillor Martin Bates, Portfolio Holder for Transport, Licensing and Regulatory Services</b>
<b>Decision Type:</b>	<b>Executive Key Decision</b>
<b>Classification:</b>	<b>Unrestricted</b>

---

**Purpose of the report:** To seek approval for the adoption of the revised draft Hackney Carriage and Private Hire Licensing Policy following the period of consultation.

---

- Recommendation:**
1. That Cabinet approves the revised Hackney Carriage and Private Hire Licensing Policy.
  2. That the Head of Regulatory Services be authorised to make any minor or typographical amendments to the revised Hackney Carriage and Private Hire Licensing Policy which may prove necessary following approval.
- 

## 1. Summary

- 1.1 The draft Hackney Carriage and Private Hire Licensing Policy was approved by the Portfolio Holder for Transport, Licensing and Regulatory Services on 29 October 2021 for a period of consultation.
- 1.2 The consultation ran for a period of 4 weeks, from 11 November 2021 to 9 December 2021.
- 1.3 The draft policy was also published on the Council's website.
- 1.4 A copy of the revised policy is shown at **Appendix A**.
- 1.5 Two written responses have been received. These are shown at **Appendix B** and relate to the practical driving assessment, the age limits on licensed vehicles and HMRC checks upon renewal. In addition to this, there was a request for additional monitoring of the hackney carriage ranks.
- 1.6 The comments made within the representations were considered and are shown in **Appendix D**. No amendments are proposed to the policy based on these representations.

## 2. Introduction and Background

- 2.1 Dover District Council has responsibility for licensing Hackney Carriage and Private Hire Vehicles, Drivers and Operators within the Dover District area under the Local

Government (Miscellaneous Provisions) Act 1976, The Town Police Clauses Act 1847 as amended by the Public Health Act 1875.

2.2 The current Hackney Carriage & Private Hire Licensing Policy was adopted in January 2016 and is due for review.

2.3 Due to the implementation of the Department for Transport Statutory Taxi and Private Hire Vehicle Standards, the policy has been rewritten to incorporate these and address other issues that have arisen since the policy was previously reviewed.

2.4 The main changes to the policy relating to the DFT Standards are as follows:

- Drivers required to subscribe to the update service for DBS clearance.
- Operators will be required to have sight of a basic DBS for all staff involved in taking bookings or the dispatch of drivers.
- Vehicle proprietors will be required to submit a basic DBS check.
- More stringent approach on previous convictions.
- The licensing authority will maintain a list of designated wheelchair accessible vehicles in accordance with s167 of the Equality Act 2010.
- Drivers and operators will be required to show evidence of tax registration prior to renewal applications being processed.

2.5 In addition to this, the following has been added to the policy to encourage the use of electric vehicles.

- To give an extension to the number of years that a fully electric/hybrid vehicle can remain working as a licensed vehicle. General vehicles are not able to renew once they exceed 8 years, but for wheelchair accessible vehicles this is 12 years. The policy extends this to include fully electric/hybrid vehicles as an incentive.

2.6 There are other changes within the policy which have been introduced where issues have arisen since the last policy was reviewed, or to bring the policy in line with neighbouring authorities. The requirement for driver medicals has changed as follows:

- Ages for medicals to be changed - a new medical assessment is required every 5 years for drivers aged up to 45, every 3 years for drivers aged up to 60. Drivers aged 60 or over are required to undergo a medical assessment annually.

2.7 An Equality Impact Assessment has been carried out in accordance with corporate policy and is attached at **Appendix C**.

2.8 The comments made within the representations have been considered, as shown in **Appendix D**. There are no amendments proposed to the policy based on these representations.

### 3 Identification of Options

3.1 To approve the revised Hackney Carriage and Private Hire Licensing policy for adoption without amendment. (recommended)

- 3.2 To approve the revised Hackney Carriage and Private Hire Licensing policy for adoption with amendments.
- 3.3 To reject the revised Hackney Carriage and Private Hire Licensing policy and renew the Policy on the terms of the 2013 – 2016 Policy.

#### 4. **Evaluation of Options**

- 4.1 To approve the revised Hackney Carriage and Private Hire Licensing policy for adoption without further amendment. (recommended)

The Hackney Carriage and Private Hire Licensing Policy (**Appendix A**) has been rewritten to incorporate the suggestions changes within the Department for Transport Statutory Taxi and Private Hire Vehicle Standards and the government changes in respect of evidence of tax registration.

- 4.2 To approve the revised Hackney Carriage and Private Hire Licensing policy for adoption with further amendments.

Members should be aware that any substantive amendments to the current revision may require a further period of public consultation.

- 4.3 To reject the revised Hackney Carriage and Private Hire Licensing policy and retain the existing Policy.

This option is not recommended. The current policy has been in place since 2016 and is due for review.

#### 5 **Resource Implications**

There are no resource implications.

#### 6 **Climate Change and Environmental Implications**

- 6.1 The policy proposes to give an extension to the number of years that a fully electric/hybrid vehicle can remain working as a licensed vehicle. General vehicles are not able to renew once they exceed 8 years, but for wheelchair accessible vehicles this is 12 years. The policy extends this to include fully electric/hybrid vehicles as an incentive.

#### 7 **Corporate Implications**

- 7.1 Comment from the Finance Officer: Accountancy has been consulted and has no further comment (MR)
- 7.2 Comment from the Solicitor to the Council: The Head of Governance has been consulted during the preparation of this report and has no further comment to make
- 7.3 Comment from the Equalities Officer: The Equality Officer has discussed the report and Equality Impact Assessment with the author, and noted that it is likely to be relevant to the three aims of the Equality Duty. In particular the report aims to enhance accessibility for those service users with a disability. Members are reminded that, in discharging their responsibilities they are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>
- 7.4 Other Officers (as appropriate):

## 8 **Appendices**

Appendix A – Hackney Carriage & Private Hire Licensing Policy  
Appendix B – Representations received during consultation period  
Appendix C – Equality Impact Assessment  
Appendix D – consideration of consultation responses

### **Background Papers**

Department for Transport Statutory Taxi and Private Hire Vehicles Standards  
Existing Hackney Carriage & Private Hire Licensing Policy issued January 2016

Contact Officer: Rebecca Pordage, Licensing Manager