

Report for: Regulatory Committee

Date of Meeting:	2 October 2024
Subject:	HACKNEY CARRIAGE AND PRIVATE HIRE POLICY IMPLEMENTATION UPDATE
Cabinet Member:	David Wulff - Cabinet Member for Quality (Cost) of Living, Equalities and Public Health
Responsible Officer:	Simon Newcombe, Head of Housing and Health
Enclosures:	Annex A: proposed minor changes to Policy

Summary:

This report provides an update on the implementation of the Hackney Carriage and Private Hire Policy (the Policy) adopted by Full Council on Wednesday 17th July 2024.

Recommendation(s):

That Regulatory Committee approve and recommend to Full Council:

- 1. The new proposed timeline for implementation of the Policy at section 2 of the report, and that the existing Policy (implemented 1st January 2019) continues to have effect until such time as the new Policy is fully implemented.**
- 2. The changes proposed and detailed within section 3 and Annex A of this report.**
- 3. To delegate authority to make minor amendments to the Policy to the Head of Housing and Health.**

1. Introduction

- 1.1 The new Policy was approved by Regulatory Committee on 28th June 2024 and adopted by Full Council on 17th July 2024. The proposed implementation date at the time of adoption being 1st September 2024.
- 1.2 Delays to the implementation of the new Policy have resulted in this timescale not being met. A revised timeline is now proposed at section 2 of this report.

- 1.3 The delays have been a result of high summer workloads, coinciding with some unexpected changes within the Licensing Team that have led to a lack of resource to carry forward the significant work that is involved in bringing in the scale of changes in the new Policy (e.g. the Penalty Points Scheme), within the original timescale that was proposed.
- 1.4 The Policy was originally drafted by an external licensing expert bringing together examples of best practice from multiple sources. This has led to some oversights that were not identified through the consultation process and final preparation of the Policy and report.
- 1.5 Since 17th July 2024 a number of errors and omissions (some administrative) to the Policy have been highlighted. As a result of the logistical delays it was decided to include some changes to the Policy prior to the new implementation programme; these are detailed within section 3 of this report and at Annex A.

2 Proposed implementation timeline

September October	Complete review of all processes, application forms and associated guidance documentation. Write to trade with planned date of implementation and invitation to workshop. During the consultation process the Trade requested a further workshop to discuss the changes that the new Policy were making.
November	Hold trade workshop to talk through changes to processes at renewal and new training requirements that will affect them on renewal. This will include an informal consultation exercise – see 3.2 below.
December	Run first training session for Safeguarding and Disability awareness to enable drivers, due for renewal from January 2025, to meet the requirements of the new policy.
January 2025	New policy fully implemented.

3 Changes to Policy

- 3.1 During the initial stages of implementation, officers have identified a number of questions within the new Policy document that need to be resolved prior to implementation. In addition officers have highlighted a number of sections where they feel applicants need further clarification. These proposed minor changes are detailed in Annex A.
- 3.2 In addition to the minor changes, a number of more significant changes are proposed (see 3.3 and 3.4 below). As these changes are being sought outside

of the previous consultation, we intend to discuss with and seek the opinion of the Trade at the workshop in November 2024.

- 3.3 In the revised Policy at Appendix 3, section 4.1 it states that where a driver acquires 6 or more penalty points on their DVLA licence, they may be referred to the Regulatory Sub-Committee. The existing Policy states that this will occur when 7 or more penalty points are acquired. This change was not identified during the preparation of the new Policy for the consultation exercise. This administrative error has a significant impact on the Policy and there is no evidence to justify a reduction from 7 to 6 points triggering a referral to Sub-Committee at a lesser level.
- 3.4 The existing Policy allows for preservation of the anniversary of the vehicle test if the test is conducted within a specified period of time before it is due. This encourages licence holders to arrange their vehicle tests in a timely manner, and therefore assists with the renewal process. This has not been transferred into the new Policy. It is proposed that this is introduced within Appendix 4, section 4.16, Vehicle tests.

4 Recommendations and next steps

- 4.1 It is recommended that the Regulatory Committee approve and recommend to Full Council:

The new proposed timeline for implementation of the new Policy as set out at section 2 of this report, and that the existing Policy continues to have effect until such time as the new Policy is fully implemented.

The changes proposed and detailed within section 3 and Annex A of this report.

To delegate authority to make minor amendments to the Policy to the Head of Housing and Health. This is referenced in the new Policy at Section 1, Introduction, paragraph 1.9.

A further update on the implementation of the Policy will be brought to the Regulatory Committee on 6th December 2024.

Financial Implications: None that are not contained within existing resources.

Legal Implications: It is necessary that policies meet legislative and regulatory requirements.

Risk Assessment: There is a significant risk of severe service disruption and criticism if we implement the policy before we have the processes and procedures in place to facilitate the changes. By amending the implementation timeline, we create time to ensure that the framework is in place to administer the changes and the tools available to support applicants with the new processes.

Impact on Climate Change: There is no direct impact on climate change as a result of this report.

Equalities Impact Assessment: No equality issues identified for this report.

Relationship to Corporate Plan: This report links directly to the Licensing Authority functions of the Council with the primary aim of protecting public safety and ensuring the well-being of our community including users of taxis. It therefore contributes to the priority of Community, People and Equalities within the Corporate Plan 2024-28 and in particular objective 2.3 to support the health, wellbeing and safety of our residents.

Statutory Officer sign-off/mandatory checks

Statutory Officer: Stephen Walford
Agreed by or on behalf of the Section 151
Date: 17.9.24

Statutory Officer: Maria de Leburne
Agreed on behalf of the Monitoring Officer
Date: 17.9.24

Chief Officer: Simon Newcombe
Agreed by or on behalf of the Chief Executive/Corporate Director
Date: 13 September 2024

Performance and risk: Steve Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 18 September 2024

Cabinet member notified: Yes

Contact for more Information:

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Background Papers:

Hackney Carriage and Private Hire Policy 2023