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| <b>Notice of:</b>               | <b>EXECUTIVE</b>   |
| <b>Decision Number:</b>         | EX50/2022  |
| <b>Relevant Officer:</b>        | John Blackledge, Director for Community and Environmental Services                             |
| <b>Relevant Cabinet Member:</b> | Councillor Neal Brookes, Cabinet Member for Enforcement, Public Safety, Highways and Transport |
| <b>Date of Meeting:</b>         | 5 December 2022  |

## HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

### 1.0 Purpose of the report:

1.1 To consider the recommendation of the Licensing Committee from its meeting on 8 November 2022 on the proposed Hackney Carriage and Private Hire Licensing Policy.

### 2.0 Recommendation(s):

2.1 To approve the Hackney Carriage and Private Hire Licensing Policy, attached at Appendix 5b to the Executive report, with effect until the 31 December 2027.

### 3.0 Reasons for recommendation(s):

3.1 The existing policy received approval in 2016. The policy is due for a full review taking into consideration the Statutory Taxi and Private Hire Standards published by the Department for Transport.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

### 4.0 Other alternative options to be considered:

4.1 None.

## **5.0 Council priority:**

5.1 The relevant Council priority is both:

- “The economy: Maximising growth and opportunity across Blackpool”
- “Communities: Creating stronger communities and increasing resilience”

## **6.0 Background information**

- 6.1 Best practice dictates that the Council should have a policy setting out how it will approach decisions relating to taxi and private hire licensing. The last full review of the Hackney Carriage and Private Hire Licensing Policy took place in 2016, although the Council made minor amendments in 2018 a full review is now required to ensure that the policy remains up to date and fit for purpose.
- 6.2 The Policing and Crime Act 2017 empowered the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire licensing functions to protect children and vulnerable individuals from harm when using these services. The Department for Transport published the statutory standards in July 2020 and there is an expectation that authorities will implement the recommendations contained therein unless there is a compelling reason not to do so.
- 6.3 The Public Protection Sub-Committee considered a draft version of the policy at its meeting on 21 June 2022 and approved a period of consultation.
- 6.4 Consultation took place from July 2022 and ended on 16 September 2022. Two meetings were held with representatives from the Hackney Carriage and Private Hire trade to discuss the content of the draft policy.
- 6.5 The written responses to the consultation can be found at Appendix 5a, to the Executive report, and the proposed policy is at Appendix 5b, to the Executive report.
- 6.6 Those present at the meetings were supportive of the proposal to move to a combination of annual pit inspection and MOT test six months later (or 4 and 8 months later in the case of vehicles over 14 years). The proposed policy has been amended to confirm the intervals between pit inspection and MOT. Discussions will take place with the trade on the transition from the old system to the new.
- 6.7 The other amendments to the proposed policy have been made following consideration of the response from NPHTA sent on behalf of BLTOA and Blacktax. The main changes are noted below.
- 6.8 The Executive will note that the Code of Conduct when working with vulnerable passengers has been removed. This code pre-dates the safeguarding training that has been in place for a number of years and as the consultation comments state, much of the conduct suggested in

the code is what would be expected of a licensed driver whenever they are working. Officers will review the need for a refreshed code of conduct and if felt necessary will bring a revised code to the Public Protection Sub-Committee for consideration at a future date.

- 6.9 CCTV – this section has been removed. The need for further guidance on CCTV systems will be reviewed in consultation with the trade.
- 6.10 Of major concern to the trade was the policy on convictions for use of hand held devices whilst driving (Appendix 5a to the Executive report point 11). There is a fear that drivers will be convicted of an offence for using their PDA in the course of acting as a licensed driver and risk revocation of their licence. The comments of the NPHTA are noted and the intention of the proposed amendment to this section balances the serious view to be taken of driving and talking/otherwise using a device in your hand with the acceptance that drivers may find themselves with such a conviction in circumstances that might not merit revocation of their licence.
- 6.11 Vehicle specification and exceptional quality policy – no amendments are currently proposed, however it is accepted that these appendices will benefit from a full review bearing in mind the comments made by the NPHTA. The appendices will remain in place for the time being whilst officers conduct the review.
- 6.12 The Public Protection Sub-Committee considered the proposed policy at its meeting on 4 October 2022. The Sub-Committee recommended the proposed Hackney Carriage and Private Hire Licensing Policy to the Licensing Committee for recommendation to the Executive for adoption subject to the amendment of the section on safeguarding to refer to both children and vulnerable people. The proposed policy at Appendix 5b contains this amendment. The Licensing Committee at its meeting on 8 November 2022 recommended this finalised version of the policy to the Executive for approval.
- 6.13 Does the information submitted include any exempt information? No

## **7.0 List of Appendices:**

- 7.1 Appendix 5a Consultation response  
Appendix 5b revised policy

## **8.0 Financial considerations:**

- 8.1 None.

## **9.0 Legal considerations:**

- 9.1 There are no legal considerations.

**10.0 Risk management considerations:**

10.1 None.

**11.0 Equalities considerations:**

11.1 None.

**12.0 Sustainability, climate change and environmental considerations:**

12.1 None.

**13.0 Internal/external consultation undertaken:**

13.1 None.

**14.0 Background papers:**

14.1 None.

**15.0 Key decision information:**

15.1 Is this a key decision? Yes

15.2 If so, Forward Plan reference number: 19/2022

15.3 If a key decision, is the decision required in less than five days? No

15.4 If **yes**, please describe the reason for urgency:

**16.0 Call-in information:**

16.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

16.2 If **yes**, please give reason:

## TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

### 17.0 Scrutiny Committee Chairman (where appropriate):

Date informed: 25 November 2022 Date approved:

### 18.0 Declarations of interest (if applicable):

18.1 None.

### 19.0 Summary of Discussion:

19.1 Councillor Neal Brookes, Cabinet Member for Enforcement, Public Safety, Highways and Transport, presented the report to the Executive. Councillor Brookes highlighted the extensive consultation with licence holder and their representative organisations that had taken place and the associated revisions to the draft policy. Councillor Brookes emphasised his view and the view of the Licensing Committee at its meeting on 8 November 2022 that the updated licensing policy attached at Appendix 5b to the Executive suitably addressed the concerns raised in the representations received.

### 20.0 Executive decision:

20.1 The Executive agreed the recommendation as outlined above namely:

To approve the Hackney Carriage and Private Hire Licensing Policy, attached at Appendix 5b to the Executive report, with effect until the 31 December 2027.

### 21.0 Date of Decision:

21.1 5 December 2022

### 22.0 Reason(s) for decision:

22.1 The existing policy received approval in 2016. The policy is due for a full review taking into consideration the Statutory Taxi and Private Hire Standards published by the Department for Transport. The Executive considered the representations included at Appendix 5a to the Executive report but considered that the amendments included in the version approved by the Licensing Committee addressed these concerns.

### 23.0 Date Decision published:

23.1 6 December 2022

**24.0 Alternative Options Considered and Rejected:**

24.1 The Executive noted that there were no alternative options for consideration that would allow the Council to have a policy that met the Secretary of State for Transport's guidance and was fit for purpose.

**25.0 Executive Members in attendance:**

25.1 Councillor L Williams, in the Chair  
Councillors Brookes, Campbell, Farrell, Hobson, Hugo, Smith and Taylor

**26.0 Call-in:**

26.1

**27.0 Notes:**

27.1