

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

11th September 2017

Report of the Head of Legal Services – David Michael

Matter for Decision

Wards Affected: All

Welsh Government Consultation - Taxi and Private Hire Vehicle Licensing in Wales

Purpose of the Report

1. To provide information to Members in respect of the Welsh Government's Consultation Document on Taxi and Private Hire Vehicle Licensing in Wales.
2. To approve a consultation response on behalf of Neath Port Talbot CBC.

Executive Summary

3. In May 2014, the Law Commission for England and Wales published its proposals for the reform of the legislative framework governing the licensing of taxis and private hire vehicles in England and Wales.
4. Following commencement of relevant provisions of the Wales Act 2017, licensing of taxis and private hire vehicles will be a matter within the legislative competence of the National Assembly for Wales.
5. The Welsh Government are carrying out a consultation exercise with stake holders with the intention of replacing the existing legislative framework with new primary legislation for Wales

6. Members are being asked to approve a draft response to the consultation on behalf of Neath Port Talbot CBC.

Background

7. In May 2014, the Law Commission for England and Wales published its proposals for the reform of the legislative framework governing the licensing of taxis and private hire vehicles in England and Wales.
8. Following commencement of relevant provisions of the Wales Act 2017, licensing of taxis and private hire vehicles will be a matter within the legislative competence of the National Assembly for Wales.
9. It is under this new devolved settlement that the Welsh Government has again considered the proposals for the framework for licensing taxis and private hire vehicles put forward by the Law Commission, for the purpose of bringing new arrangements into effect in relation to Wales.
10. The proposed arrangements would:
 - See the introduction of national standards for all taxis and private hire vehicles, set by the Welsh Ministers, with the power for local licensing authorities to set additional standards where it is appropriate to do so;
 - Make it easier for providers of taxis and private hire services to work across local authority boundaries and will give licensing officers new enforcement powers to deal with vehicles and drivers licensed in different areas. Tougher penalties on touting are also proposed (actively soliciting customers), including impounding vehicles;
 - Bring pedi-cabs and novelty vehicles, including stretch limousines within the scope of taxi and private hire regulation, but the exemption applied to wedding and funeral cars as part of primary legislation being retained, and
 - Retain the ability of local licensing authorities to limit the number of taxis working in their licensing area.
11. The Welsh Government considers that the majority of the recommendations put forward by the Law Commission would, if introduced, clarify and simplify the legislation governing the licensing of taxis and private hire vehicles

12. On this basis Welsh Government are supportive in principle of the majority of the proposals in relation to taxi and private hire vehicle regulation in Wales.
13. There are however, some recommendations that in the Welsh Government's opinion require further detailed consideration. The purpose of the policy consultation is to seek views on these specific recommendations.

Officer Report

14. This public consultation was launched by the Welsh Government on 12th June 2017 and closes on 8th September 2017. The full consultation document is attached at Appendix 1.
15. Welsh Government has asked 11 questions in relation to specific recommendations they wish to have a more detailed consideration of. These questions can be found throughout the document and again on pages 26 to 31 of the consultation document.
16. Officers have drafted a response to the questions in the consultation document and this is attached at Appendix 2.

Equality Impact Assessment

17. Not applicable

Legal Impacts

18. Not applicable

Risk Management

19. Not applicable

Consultation

20. Not applicable

Recommendation

21. That members approve the draft response to the Welsh Government's consultation on taxi and private hire vehicle licensing, which will be submitted as a response on behalf of Neath Port Talbot CBC.

Reasons for Proposed Decision

22. Not applicable

Implementation of Decision

23. Immediate

Appendices

24. Appendix 1 - Consultation Document - Taxi and Private Hire Vehicle Licensing in Wales
25. Appendix 2 - Draft consultation response.

List of Background Papers

Law Commission

Officer Contact

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