

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **Registration and Licensing Committee**

10th February 2020

### **Report of the Head of Legal Services – Craig Griffiths**

#### **Matter for Decision**

#### **Wards Affected**

All Wards

### **Taxi Licensing Policy Amendment - Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades**

#### **Purpose of the Report**

1. To consider replacing the existing "Fitness criteria for prospective and existing drivers and operators", with the "Guidance in determining the suitability of applicants and licensees in the hackney and private hire trades", following the completion of the consultation exercise.

#### **Executive Summary**

2. This report seeks to replace the existing fitness criteria for prospective and existing drivers and operators ("fitness criteria") contained at Appendix B of the Taxi Licensing Policy, with the guidance produced by the Institute of Licensing (IOL) 'Guidance in determining the suitability of applicants and licensees in the hackney and private hire trades' ("the guidance")
3. The guidance was issued for consultation with interested parties and two responses were received.

4. Members are being asked to approve the adoption of the guidance which will replace the existing fitness criteria contained at Appendix B of the Taxi Licensing Policy.

## **Background**

5. The Council has adopted a Taxi Licensing Policy containing the procedures, specifications and conditions which all prospective and existing licence holders need to be aware of.
6. Appendix B of the policy sets out the fitness criteria for prospective and existing drivers and operators. The fitness criteria was developed by the All Wales Licensing Expert Panel and was adopted widely by Local Authorities throughout Wales.
7. In April 2018, the IOL published a new document 'Guidance in determining the suitability of applicants and licensees in the hackney and private hire trades'

The guidance has been produced by the IOL in collaboration with the Local Government Association (LGA), National Association of Licensing and Enforcement Officers (NALEO) and Lawyers in Local Government (LLG) and has been the subject of widespread consultation nationally.

## **Officer Report**

8. At the Registration and Licensing Committee in July 2019, members determined to issue the guidance for consultation with all licensed drivers, proprietors and operators.
9. The consultation exercise resulted in two responses and these are attached at appendix 1 and 2.
10. Following the end of the consultation period and taking into consideration the two representations received, it is considered that no changes are required to be made to the guidance. Members are therefore being asked to approve the adoption of the guidance, which will replace the existing fitness criteria contained at Appendix B of the Taxi Licensing Policy.

## **Financial Impacts**

No implications

## **Integrated Impact Assessment**

11. A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016

The first stage assessment has indicated that a more in-depth assessment is not required.

## **Valleys Communities Assessment**

12. No implications

## **Workforce Impacts**

13. No implications

## **Legal Impacts**

14. No implications

## **Risk Management Impacts**

15. No implications

## **Consultation**

16. A consultation exercise was carried out with all existing drivers, proprietors and operators, which resulted in two responses.

## **Recommendation**

17. That the document 'Guidance in determining the suitability of applicants and licensees in the hackney carriage and private hire trades' set out in the revised Taxi Licensing Policy at Appendix 1, be approved.

## **Reasons for Proposed Decision**

18. Following the end of the consultation period and taking into consideration the two representations received, it is considered that no changes are required to be made to the guidance. This will ensure that the guidance is adopted and applied consistently throughout England and Wales.

## **Implementation of Decision**

19. The decision is proposed for immediate implementation.

## **Appendices**

20. Appendix 1 - Revised Taxi Licensing Policy

## **List of Background Papers**

21. Guidance in determining the suitability of applicants and licensees in the hackney carriage and private hire trades' published by the IOL.
22. Existing Taxi Licensing Policy  
[www.npt.gov.uk/media/4270/taxi\\_licensing\\_policy.pdf](http://www.npt.gov.uk/media/4270/taxi_licensing_policy.pdf)
23. First stage impact assessment

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