

NEATH PORT TALBOT COUNCIL

Registration and Licensing Committee

24th May 2021

Report of the Head of Legal Services – Craig Griffiths

Matter for Information

Wards Affected

All Wards

Taxi Policy Amendments

Purpose of the Report

1. To provide an update to members on two documents that have recently been published, that affect Hackney Carriage and Private Hire Licensing.

Executive Summary

2. The Department for Transport (DfT) has recently published the document "Statutory Taxi and Private Hire Vehicle Standards" and Welsh Government has recently published the document "Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales" both documents affect Hackney Carriage and Private Hire Licensing.
3. It is proposed that work will commence to incorporate the new DfT standards and Welsh Government recommendations into the existing Taxi Licensing Policy.
4. A further report, with an updated Taxi Licensing Policy will be brought before members in due course, prior to consultation with interested parties.

Background

5. The Council adopted an overarching Taxi Licensing Policy in August 2015, which contains the procedures, specifications and conditions for prospective and existing licence holders.
6. In July 2020 the Department for Transport (DfT) published Statutory Taxi & Private Hire Vehicle Standards with the focus on protecting children and vulnerable adults. The DfT state that following a detailed consultation it's clear there is a consensus that common core minimum standards are required to better regulate the taxi and private hire vehicle sector.
7. The DfT standards have effect in Wales even though responsibility for taxi and private hire vehicle policy has been devolved to Welsh Government. However, should Welsh Government introduce legislation to regulate on these matters, the DfT standards would cease to apply.
8. In March 2021, Welsh Government published the Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales. This document follows Welsh Government's white paper 'Improving Public Transport' published in 2018. The aim of the recommendations contained in the document is to provide 'quick fixes' to improve the consistency of licensing standards and increase public safety across Wales. The recommendations form the basis for further development by Welsh Government into national standards.
9. There are 5 reasons outlined by Welsh Government to adopt the recommendations, public safety being the first. The public should be able to expect a licensed driver to be competent, honest, safe and trustworthy. There have been numerous reports in recent years involving child exploitation which have made it clear that weak and ineffective arrangements for taxi licensing in England and Wales left the public at risk; these new recommendations hope to rectify this by improving public safety across Wales. This also includes the safety of vehicles, along with improving the standards set for private hire operators.
10. Other reasons for adopting the recommendations include better consistency of standards across Wales, harmonised enforcement, increased accessibility of vehicles in Wales and better standards of customer service.

Officer Report

11. It is proposed that the existing Taxi Licensing Policy be amended to incorporate all the standards set out in the DfT document and the recommendations set out in the Welsh Government document.
12. To ensure a consistent approach across Wales, the All Wales Licensing Expert Panel has been consulted and assisted with the development of the "Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales" document and it has been sent to all Local Authorities to consider adoption. The document has also benefited from Counsel advice commissioned by Cardiff Council.
13. The DfT statutory standards and the Welsh Government's Harmonisation of Taxi and Private Hire Vehicle Licensing recommendations introduce a number of changes that Local Authorities will need to adopt. In summary the main changes are list below, although some of these have already been implemented by this authority.
14. Drivers
 - Requirement for drivers to join the Disclosure & Barring Service (DBS) Update Service and have a DBS check every 6 months.
 - Use of the National Database for Refusal and Revocations of Hackney Carriage and Private Hire Drivers
 - Overseas criminal record check for drivers
 - Adopting the Welsh Government's Driver Code of Conduct
 - Updating the Private Hire Driver Conditions in line with the Welsh Government's Recommendations
15. Vehicles
 - Requirement for vehicle proprietors to have an annual DBS check.
 - Overseas criminal record check.
 - Adopting the Welsh Government's policy on CCTV and Video Point of Impact Systems (VIPS)/Dash Cams in taxis and private hire vehicles.

- Impose the Welsh Government's recommendations for accessibility conditions on vehicle proprietors of taxis and private hire vehicles.

16. General

- Standardised application forms across Wales
- To commit to reviewing the Taxi Licensing Policy every 5 years in accordance with the DfT's Statutory Standards.

Financial Impacts

17. No implications

Integrated Impact Assessment

18. Not applicable

Valleys Communities Assessment

19. No implications

Workforce Impacts

20. No implications

Legal Impacts

21. No implications

Risk Management Impacts

22. No implications

Consultation

23. Not required

Recommendation

24. That the report be noted

Reasons for Proposed Decision

25. The report is for information only

Implementation of Decision

26. The report is for information only

Appendices

27. Department for Transport, Taxi and Private Hire Licensing Guide: Best Practice Guide
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904369/statutory-taxi-and-private-hire-vehicle-standards-english-28-07-2020.pdf
28. Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales
<https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-html>
29. Existing Taxi Licensing Policy
www.npt.gov.uk/media/4270/taxi_licensing_policy.pdf

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