

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

16 DECEMBER 2020

REPORT OF THE CHIEF OFFICER – LEGAL, HR AND REGULATORY SERVICES

REVIEW OF PRIVATE HIRE OPERATOR CONDITIONS

1. Purpose of report

- 1.1 To consider updating the current private hire operator conditions in line with new statutory best practice standards published by the Department for Transport (DfT) following a consultation with the trade.

2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 There is no direct link to the corporate well-being objectives or the corporate priorities.

3. Background

- 3.1 Under the Local Government (Miscellaneous Provisions) Act 1976 the Council may attach any conditions to the grant of a private hire operator licence that they consider reasonably necessary.
- 3.2 Bridgend County Borough Council's current private hire operator conditions have been in place for many years and in response to new statutory best practice standards published by the Department for Transport (DfT), it is thought to be an appropriate time to review the current conditions in an attempt to bring them in line with the new standards. The current private hire operator conditions are detailed at **Appendix A**.
- 3.3 A draft set of conditions has been produced which detail the proposed requirements for private hire operators. A copy of the draft conditions are detailed at **Appendix B**.

4. Current situation/proposal

- 4.1 As the Licensing Authority for Bridgend, it is important that we are confident that the operators we licence are 'fit and proper' and do not pose a threat to public safety. One way this can be achieved is by imposing conditions onto the licence.
- 4.2 The Department for Transport (DfT) have recently published Statutory Taxi and Private Hire Vehicle Standards with the intention that these are adopted by all local authorities as a minimum "*unless there is a compelling local reason not to*".
- 4.3 A review of Bridgend County Borough Council's current private hire operator conditions has subsequently been conducted and a new set of proposed

conditions produced with public safety at the forefront of the agenda. The proposed conditions cover the following elements:

- General
- Complaints System
- Driver Vehicle Records
- DBS Check
- Notification of Convictions
- Business Premises
- Booking Records
- Personal Data
- Working Hours
- Insurance
- Ride Sharing/Car-Pooling
- Standards of Services
- Public Service Vehicles

The proposed conditions are detailed at **Appendix B**.

Consultation

- 4.4 The Licensing Authority has consulted with private hire operators currently licensed by Bridgend County Borough Council.

One response was received during the consultation from a licensed private hire operator which stated “we have read through your conditions and all are acceptable by ourselves.”

No other responses were received.

- 4.5 Following legal advice Section 8 of the proposed private hire operator conditions detailed in Appendix B was split into two sections and sub-sections were removed to not to duplicate Data Protection legislation.

5. Effect upon policy framework and procedure rules

- 5.1 None

6. Equality Impact Assessment

- 6.1 A full Equality Impact Assessment has not been undertaken as there are no implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation on this matter.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 The are no financial implications arising directly from this report.

9. Recommendation

9.1 It is recommended that the Committee consider the contents of the report and resolve to:

- a) Replace the current private hire operator conditions with the proposed conditions detailed at **Appendix B** with immediate effect.
- b) Allow a grace period of 6 weeks for existing private hire operators in relation to compliance with the conditions detailed in **Appendix B**.

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DATE 10 December 2020

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Background documents:

Department for Transport, Statutory Taxi and Private Hire Vehicle Standards:
<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>