

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

13 JULY 2021

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

**STATEMENT OF LICENSING POLICY RELATING TO HACKNEY CARRIAGE (TAXI)
AND PRIVATE HIRE VEHICLES, DRIVERS AND OPERATORS**

1. Purpose of report

- 1.1 The purpose of this report is to consider creating a Statement of Licensing Policy relating to Hackney Carriage (Taxi) and Private Hire Vehicles, Drivers and Operators incorporating the statutory standards and recommendations recently published by the Department for Transport (DfT) and Welsh Government.

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

- 2.1 This report relates to a regulatory function and as such has no link to the corporate well-being objectives.

3. Background

- 3.1 In July 2020 the Department for Transport (DfT) published Statutory Taxi and Private Hire Vehicle Standards with the focus on the protection of children and vulnerable adults. The DfT state that following a detailed consultation it is clear there is a consensus that common core minimum standards are required to better regulate the taxi and private hire vehicle sector. These standards can be found in **Appendix A**.
- 3.2 The DfT standards have effect in Wales even though responsibility for taxi and private hire vehicle policy has been devolved to the Welsh Government. However, should the Welsh Government introduce legislation to regulate on these matters, the DfT standards would cease to apply.
- 3.3 In March 2020, the Welsh Government published the Taxi and Private Hire Vehicle: Licensing Guidance for Wales. This document follows the 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. The recommendations can be found in **Appendix B**.
- 3.4 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.

- 3.5 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.

4. Current situation/proposal

- 4.1 The DfT statutory standards and the Welsh Government's Taxi and Private Hire Vehicle Licensing guide will bring about many changes to our existing policies and conditions. In summary the main changes are as follows:

Drivers

- Requirement for drivers to join the Disclosure & Barring Service (DBS) Update Service and have a DBS check every 6 months instead of every three years at present.
- Overseas criminal record check for drivers.
- To require all new applicants to undergo safeguarding training.
- Adopting the Welsh Government's Driver Code of Conduct.
- Updating the Private Hire Driver Conditions in line with the Welsh Government's Recommendations.

Vehicle

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

General

- To commit to reviewing Statement of Licensing Policy every 5 years in accordance with the DfT's Statutory Standards.

4.2 It is proposed that a Statement of Licensing Policy relating to Hackney Carriage (Taxi) and Private Hire Vehicles, Drivers and Operators is created. This new document would not only incorporate all the recently published statutory standards and recommendations by the DfT and Welsh Government, but it would also encompass all the other supplementary policies and conditions that relate to taxi and private hire licensing. This will hopefully simplify matters for applicants and licensees as all the necessary documentation will be available in once place.

4.3 It is envisaged that the Statement of Licensing Policy would detail all the taxi and private hire related policies as appendices making any required future changes easy to accommodate. This would mean that the Committee would be able to review an appendix rather than the whole document every time a change was required.

5. Effect upon policy framework and procedure rules

5.1 There is no effect upon the policy framework and procedure rules.

6. Equality Act 2010 implications

6.1 An initial EIA screening will be carried out at consultation stage to consider the views of stakeholders and inform whether a full EIA is necessary.

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. The proposal supports the collaboration principle within the five ways of working set out in the Act.

8. Financial implications

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

9. Recommendation(s)

9.1 It is recommended that the Committee:

- a) Consider the statutory standards published by the Department for Transport (DfT) as well as the recommendations published by Welsh Government in relation to Taxi and Private Hire Vehicle Licensing.
- b) Approve the need to create an all-encompassing Statement of Licensing Policy relating to Hackney Carriage (Taxi) and Private Hire Vehicle, Drivers and Operators incorporating the aforementioned standards and recommendations.

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Background documents:
None.