

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Licensing Committee
<b>Date of Meeting:</b>	18 October 2018
<b>Subject:</b>	Review of Hackney Carriage (Taxi) and Private Hire Policy
<b>Report of:</b>	Environmental Health Manager
<b>Corporate Lead:</b>	Head of Community Services
<b>Lead Member:</b>	Lead Member for Clean and Green Environment
<b>Number of Appendices:</b>	Two

## **Executive Summary:**

At the Licensing Committee meeting on 14 June 2018, Members were advised that Cheltenham Borough Council and Gloucester City Council had raised concerns about the disparities between Tewkesbury Borough Council's Hackney Carriage (Taxi) and Private Hire Policy and their policies. Since that time, meetings were held with both authorities to discuss this further and a number of differences were identified. In order to consider further, the best way to revise Tewkesbury Borough Council's policy, in order that it might align more closely with the other policies, more detailed consideration of the complexities of changing individual components of the policy is required and Members are asked to establish a Working Group to undertake this work.

## **Recommendation:**

- 1. To AGREE to establish a Licensing Working Group to review the Hackney Carriage (Taxi) and Private Hire Policy and to name five Members to serve on the Working Group.**
- 2. To APPROVE the proposed Terms of Reference for the Working Group as set out at Appendix 1.**

## **Reasons for Recommendation:**

Aligning Tewkesbury Borough Council's policy with both Gloucester City Council and Cheltenham Borough Council's policies will require significant changes. Now that the changes required have been identified, further work and consideration is required in order to analyse the impact of introducing these changes on the taxi industry and licensed vehicle users.

## **Resource Implications:**

Officer and Member time will be required to form the Working Group and subsequently revise the existing policy.

## **Legal Implications:**

There are no significant legal implications arising from this report as the proposed course of action is both reasonable and proportionate given the circumstances.

**Risk Management Implications:**

None.

**Performance Management Follow-up:**

The Hackney Carriage (Taxi) and Private Hire Policy Review Working Group will produce a draft revised policy which will be presented to the Licensing Committee at its meeting on 14 February 2019 for approval for public consultation.

**Environmental Implications:**

None.

**1.0 INTRODUCTION/BACKGROUND**

- 1.1** Tewkesbury Borough Council has the responsibility to regulate hackney carriage and private hire trade under the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- 1.2** The Council's regulatory position is set out in Tewkesbury Borough Council's Hackney Carriage (Taxi) and Private Hire Policy 2016-19 which was revised on 6 December 2016. The Council has committed to review this policy every three years, therefore the next completed review would be due 6 December 2019.
- 1.3** A large number of the taxis licensed in Tewkesbury Borough operate predominantly in Cheltenham and Gloucester. There are a number of differences between Tewkesbury Borough Council's Hackney Carriage (Taxi) and Private Hire Policy Tewkesbury Borough Council's Hackney Carriage and Private Hire Policy and the policies of Cheltenham Borough Council and Gloucester City Council. The review of Tewkesbury Borough Council's Hackney Carriage (Taxi) and Private Hire Policy has been brought forward in order to align these policies as closely as possible.
- 1.4** Meetings were held with Gloucester City Council on 20 June 2018, and both Cheltenham Borough Council and Gloucester City Council on 21 September 2018, in order to identify the significant disparities between the policies.

**2.0 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS POLICY - DISPARITIES BETWEEN TEWKESBURY BOROUGH, GLOUCESTER CITY AND CHELTENHAM BOROUGH COUNCILS**

- 2.1** Following the discussions with Gloucester City Council and Cheltenham Borough Council and consideration of their policies, a number of differences were identified between those policies and that of Tewkesbury Borough Council. In order to consider further the best way to revise Tewkesbury Borough Council's policy in order that it might align more closely with the other policies, more detailed consideration of the complexities of changing individual components of the policy is required.
- 2.2** In order to facilitate this, it is proposed that a Licensing Working Group be established comprising three Members of the Licensing Committee, plus the Lead Member for Clean and Green Environment. The proposed Terms of Reference for the Working Group are attached at Appendix 1.

**3.0 OTHER OPTIONS CONSIDERED**

- 3.1** N/A

#### **4.0 CONSULTATION**

4.1 N/A

#### **5.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

5.1 Hackney Carriage (Taxi) And Private Hire Policy 2018

#### **6.0 RELEVANT GOVERNMENT POLICIES**

6.1 Department of Transport Taxi and Private Hire Vehicle Licensing: Best Practice, March 2010

#### **7.0 RESOURCE IMPLICATIONS (Human/Property)**

7.1 None directly associated with this report.

#### **8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

8.1 There will be longer term sustainability implications, particularly with regards to engine emissions. Further information is required and it is a recommendation of this report that information is obtained regarding the impact of reducing the minimum and maximum vehicle age.

#### **9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

9.1 Recommendation that all new Hackney Carriage Vehicles are wheelchair accessible. Concern regarding the potential impact of changing the age requirements of vehicles as a number of older vehicles used for transporting school children and disabled people. This report recommends that further information is obtained in order to establish how a change in policy may impact upon equalities.

#### **10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

10.1 N/A

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**Background Papers:** None

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**Appendices:** Appendix 1 – Hackney Carriage (Taxi) and Private Hire Policy Review Working Group - Proposed Terms of Reference  
Appendix 2 - Hackney Carriage (Taxi) and Private Hire Policy 2016-19