

LICENSING COMMITTEE

DATE OF MEETING: 2 MARCH 2021

TITLE OF REPORT: Approval of updated Taxi and Private Hire Policy

Report of: Head of Place

Cabinet member: Cllr Sara Kinnell, Regulatory

1 PURPOSE OF REPORT

- 1.1** To adopt the Council's updated Taxi and Private Hire Policy which sets out the approach to the administration of the Taxi and Private Hire licensing functions under the Town Centre Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

2 OFFICER RECOMMENDATION

Licensing Committee is recommended to:

- 2.1** Adopts Taxi and Private Hire Policy;
- 2.2** Agree to consult the relevant organisations on the proposal to make the ability to make card payment in vehicles mandatory;
- 2.3** Agree that the Council joins the National Anti-Fraud Network (NAFN) and uses the NR3 system for Licensing Purposes; and
- 2.4** Authorise the Head of Place in consultation with the Portfolio Holder for Regulatory to make minor alterations and typographical corrections to the document before it is published.

3 BACKGROUND

- 3.1** The Licensing Committee on the 10 November 2020 adopted the draft Taxi and Private Hire policy for consultation. The draft policy was consulted on for a 12 week period, which ended on 1 February 2021.
- 3.2** The draft policy had been updated in line with the Department for Transport Statutory Taxi and Private Hire Vehicle Standards (hereafter referred to as DfT guidance) published in July 2020.
- 3.3** The following people and organisations were consulted:
- All Licensed drivers, vehicle proprietors and Private Hire Operators
 - HDC councillors
 - HDC legal team
 - HCC transport services
 - HCC child protection services
 - Hampshire Constabulary Licensing Officer

- Hampshire Constabulary Roads Policing Unit
- National Private Hire and Taxi Association
- Guide Dogs campaign team

3.4 Two responses were received from current licence holders, these are detailed in Appendix 1.

4 CONSIDERATIONS

4.1 The consultation feedback focused on mandating card payments in licensed vehicles. As stated in the consultation response, this step has been taken by Transport for London (TfL). This would need to become a condition of the vehicle licence and as such would require further consultation with the trade and responsible authorities. The Council will only be able to mandate that card payments are taken, but not how. This will be up to the licensed drivers or vehicle proprietors to determine.

4.2 The expected benefit of mandating credit card payments would be to provide customers with a wide range of payment options. Especially during the current climate where contactless payments are preferred to reduce the transmission of Covid-19. Members must decide if they wish to pursue this as a mandatory option for licensing.

4.3 The National Anti-Fraud Network (NAFN) who hosts the NR3 register has confirmed its annual fee of £1,600 with no plans to charge a separate fee to Councils who only wish to access the NR3 database. Hart District Council has previously looked into obtaining access to NAFN but this option was not pursued. As a result, the Licensing service would have to take on the entire cost of access.

4.4 The benefits of using the NR3 system will allow the Licensing team to check the details of new applicants against a national register of drivers who have had their licence revoked or suspended by other NAFN members. This process safeguards Hart District Council in ensuring that new taxi and private hire applicants are fit and proper to hold a licence. Access to the register will also allow the Licensing team to enter the details of any drivers revoked and suspended by Hart to ensure public safety throughout the UK. Members must decide if they wish to pursue this option for licensing.

5 POLICY IMPLICATIONS

5.1 If members decide to mandate card payments, the trade and responsible authorities will need to be consulted for 12 weeks. The rest of the policy, if adopted, can be implemented whilst the additional consultation is ongoing. The responses to the consultation will then be brought to the committee for their consideration at the next available committee meeting.

6 FINANCIAL IMPLICATIONS

- 6.1** Should the committee request that the licensing team obtain membership of NAFN to access the NR3, this will incur an annual fee of £1,600, which will need to be recovered from the relevant licensing fees.
- 6.2** Should members wish to go to further consultation in relation to mandating card payments, there would be a cost of producing and issuing a consultation mailshot as well as approximately 4 hours of officer time.
- 6.3** There will be an additional cost to drivers, vehicle proprietors or operators if every vehicle is conditioned to provide means of electronic/card payment. There are a number of options for electronic payment and these must be reviewed by the drivers.

7 LEGAL COMMENT

- 7.1** As has been set out above the updated policy sets out how Hart District Council intends to administer its adopted function under the Local Government (Miscellaneous Provisions) Act 1976 in respect of the licensing of hackney carriage and private hire vehicles, drivers and operators. The policy has been appropriately amended in line with the Statutory Taxi and Private Hire Vehicle Standards published in July 2020

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APPENDICES

Appendix 1 - Consultation responses

Appendix 2 - Taxi policy

Appendix 3 - Implementation Plan