

Thursday, 25 July 2024

Report of the Assistant Director - Growth & Regeneration**Taxi & Private Hire Licensing Policy Review****Exempt Information**

None

Purpose

To present to the Committee the responses to the informal review of the Council's Licensing Policy for Taxis and Private Hire Licences.

Recommendations

It is recommended that:

1. Members note the responses received.
2. Members approve the minor amendments proposed.

Executive Summary

Tamworth Borough Council introduced a new Taxi & Private Hire Licensing Policy in April 2023. Although the policy was for a 5 year period, officers committed to review the policy after it had been in force for 12 months.

The licensing team commenced an informal review of the Taxi and Private Hire Licensing Policy on 9th May 2024. All of Tamworth Borough Council's licenced Drivers, Vehicle Proprietors and Operators were invited to respond to the review. In addition the review was advertised on social media and sent to a Citizen Panel. Attached at Appendix 1 are details of the two responses received from the citizen panel.

Unfortunately no responses were received from the trade.

Officers also took the opportunity to review certain parts of the policy together with the Department of Transport's best practice guidance that was issued in November 2023. Attached at Appendix 2 is a matrix of changes proposed.

Options Considered

Committee could choose not to amend the current policy.

Resource Implications

None

Legal/Risk Implications Background

Although there is no legal duty on the Authority to publish a licensing policy for hackney carriage and private hire licences, the absence of a robust policy would leave the Authority open to legal challenge.

Equalities Implications

A Community Impact Assessment has been completed and is attached at Appendix 4

Environment and Sustainability Implications (including climate change)

None

Background Information

The over-riding aim for Tamworth Borough Council ('the Council') when carrying out its functions relating to the licensing of Hackney (Taxi) or Private Hire Drivers, Vehicle Proprietors and Operators, is the protection of the public and others who use or have an interest in licensed Taxi and Private Hire services.

This is achieved by having in place a robust Taxi and Private Hire Licensing Policy which sets out the various standards and procedures to be followed in administering Taxi and Private Hire Licensing across the Borough. The policy provides an overview to the general public, existing licence-holders and new applicants, of how licence applications will be dealt with and how once a licence has been granted a licence-holder will be monitored.

Whilst each application for a licence will always be considered on its own merits, officers and elected members must have regard to the Council' taxi licensing policy, in addition to related legislation, associated regulations and guidance from Government, when determining an application.

The Council will only depart from its policy where it is considered appropriate to do so. This will normally be where there are exceptional circumstances which warrant a different decision and consideration. For example: an exemption to a particular policy requirement, such as the type or age of vehicle to be licensed.

The Council introduced the Taxi & Private Hire Licensing Policy in April 2023. It was intended that the Policy would be reviewed and re-published every 5 years, however officers committed to reviewing the policy after it's first year.

Report Author

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List of Background Papers

[Hackney Carriage and Private Hire Licensing Policy \(tamworth.gov.uk\)](https://tamworth.gov.uk)

[Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Appendices

Appendix 1 – Responses Received

Appendix 2 – Matrix of changes

Appendix 3 – Hackney Carriage & Private Hire Licensing Policy

Appendix 4 – Community Impact Assessment