

Taxis Committee – 18th April, 2019

Report of the Strategic Director Place

Department for Transport Consultation on Statutory Guidance for Licensing Authorities

Purpose

1. To inform the Committee of the outcome of the working group meeting that took place on 1st April 2019 that was set up to assist in the formulating of a response to the Department for Transport (DFT) consultation on a statutory guidance for licensing authorities.

Recommendation

2. That the Committee:
 - (i) Approve the formal response to the DFT consultation on statutory guidance for licensing authorities following a working party involving Committee Members and licensing officers held on 1st April, 2019.

Background

3. A Task and Finish Group on Taxi and Private Hire Vehicle Licensing was established in September 2017 by H.M Government. The groups remit was to consider evidence relating to the adequacy of current taxi and private hire licensing authority powers as set out in legislation and guidance, and to make recommendations for actions to address priority issues identified.
4. The Chair of the Group submitted his report to the Secretary of Trade for Transport on 9th July 2018, which contained 34 specific recommendations for consideration by the DFT.
5. The DFT response to the report was the drafting of new statutory guidelines for licensing, the contents of which were opened up for consultation on the 12th February 2019 for 10 weeks with a closing date of 22nd April 2019. The consultation takes the form of 30 questions relating to the guidance most of these are quantifiable (agree, disagree or no opinion) and qualitative (comments) responses.

This matter was discussed by the Committee on 14th March, 2019 when the Committee resolved:

- (1) That a formal response to the Department for Transport consultation on the statutory guidance for licensing authorities, be accepted.
 - (2) That the Strategic Director Place, following consultation with all Members of the Committee, via an informal meeting, be authorised to formulate a draft response to the consultation and submit to the next meeting of the Committee in April for approval prior to submission to the Department for Transport.
6. A number of Committee Members met with officers from Dudley's licensing section on the 1st April 2019 to discuss the issues relating to the proposed statutory guidance and produced a draft response document for consideration by this committee. To assist the Committee the draft response document has been circulated to Committee Members prior to this meeting, a copy of which is also included as appendix 1 in this report.
7. This application falls within the Council's responsibility for Taxi and Private Hire Licensing, which has a direct link to the Council's key corporate priority that safety matters.

Finance

8. There are no financial implications.

Law

9. The law relating to private hire and hackney carriages is governed by the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976, and the Transport Act 1985.

Equality Impact

10. This report takes into account the Council's policy on equal opportunities.
11. The licensing of private hire and hackney carriage vehicles and drivers will impact on children and young people through their transportation in licensed vehicles.
12. There has been no consultation or involvement of children and young people in developing these proposals.

Human Resources/Transformation

13. There are no Human Resources or Transformation implications.

Commercial Implications

14. There are no Commercial Implications.



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Strategic Director Place

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List of Background Papers

Statutory Guidance for Licensing Authorities

Consultation Questionnaire