

**TITLE OF REPORT: Review of Hackney Carriage and Private Hire Vehicle Policy and Conditions****REPORT OF: Peter Udall, Strategic Director, Economy, Innovation and Growth**

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**Purpose of the Report**

1. To seek Cabinet's approval to undertake a public consultation on proposed policy and conditions, relating to the licensing of hackney carriage and private hire vehicles.

**Background**

2. The Council has previously adopted a policy and attached conditions to Hackney Carriage and Private Hire vehicle licences under section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 with the purpose of promoting public safety.
3. The policy and conditions have been reviewed incrementally since 2007, most recently in November 2022. While they remain effective in promoting public safety there have been changes in national, regional and local priorities and guidance, and technological advances in vehicles and booking systems that necessitate a wider review.
4. The draft revised policy and conditions incorporate into one document the proposed
  - Hackney Carriage Vehicle policy
  - Private Hire Vehicle policy
  - Hackney Carriage Driver policy
  - Private Hire Driver policy
  - Private Hire Operator policy; and
  - (existing) Byelaws

and the document is a therefore a wholesale replacement of the existing (separate) policies that have been in place for some time.

5. An executive summary of the draft revised policy is attached in Appendix 2. The proposed policy and conditions are available at <http://www.gateshead.gov.uk/>.

**Proposal**

6. It is proposed to conduct a widespread public consultation on the proposed policy and conditions for a minimum of 8 weeks throughout Spring 2024 and hold a Members Seminar as part of the consultation process and to ask that the results

of that consultation be considered by a Policy Advisory Group before returning to Cabinet with a final statement for approval by Council in Summer 2024.

### **Recommendations**

7. It is recommended that the draft policy and conditions be consulted upon during spring 2024, including a Members Seminar and that a Policy Advisory Group be asked to consider the results of that consultation and give their comments to Cabinet so that a final version of the policy and conditions can be recommended to Council in summer 2024 for approval.

For the following reason

So that the policy and conditions relating to Hackney Carriage and Private Hire Vehicle licences can be updated to take into account changes to national, regional and local priorities and guidance and technological changes in vehicles and booking systems.

## APPENDIX 1

### Policy Context

1. The main purpose of licensing vehicles for hackney carriage and private hire use in Gateshead is to protect public safety. This review of policy and conditions ensures that public safety continues to be promoted.
2. The adoption of a revised policy and conditions for hackney carriage and private hire vehicles will contribute to the Council's Corporate Plan 2023 – 2028 Making Gateshead Thrive, Gateshead Health and Wellbeing Strategy, Gateshead Economic Development Strategy and Gateshead Community Strategy Partnership Plan 2020-2023
3. The revised policy and conditions for hackney carriage and private hire vehicles introduces measures which will contribute to the Council's Climate Change Strategy (2022).
4. The proposed policy and conditions incorporate the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards (Revised 25 November 2022) and the Department for Transport Taxi and private hire vehicle licensing: best practice (revised 17 November 2023)
5. The proposed policy and conditions for hackney carriage and private hire vehicles contributes to the Vision for Sustainable transport set out in the North East Transport Plan 2021-35

### Background

6. The Council is the licensing authority responsible for the licensing of hackney carriage and private hire vehicles in Gateshead. Currently 119 hackney carriages and 366 private hire vehicles are licensed. The current conditions and policy have been in place since 2007 and have been amended incrementally as necessary over the years.
7. The current policy and conditions can be found on the Council's website at <https://www.gateshead.gov.uk/article/3117/Taxi-licenses>. They remain effective in ensuring public safety but have become out of step in some respects with recent changes to guidance, developments in vehicle design and technology and the way that passengers make bookings for services. The draft revised policy and conditions propose a number of changes to take these developments into account.
8. The proposed changes aim to make the policy more understandable and accessible for applicants, licensees, the travelling public and enforcement bodies such as the police and neighbouring authorities.

### Proposal

9. It is proposed to conduct a widespread public consultation on the revised policy and conditions, and to ask that the results of that consultation be considered by a Policy Advisory Group before returning to Cabinet with a final policy and conditions for approval by Council.

10. Consultation will be widespread including all Council Members, the hackney carriage and private hire trade in Gateshead, neighbouring licensing authorities, relevant Council services and relevant stakeholders. The consultation will make it clear that while the document contains proposed amendments and new proposals, comments on any aspect of the policy and conditions will be welcomed.

### **Consultation**

11. The Leader and Deputy Leader, Portfolio Holder for Environment & Transport, the Portfolio Holder for Communities and Volunteering, and Chair and Vice Chair of the Regulatory Committee have been consulted in the preparation of this report.

### **Alternative Options**

12. This report sets out a number of reasons why the current policy and conditions need to be reviewed. The alternative would be to continue with the current policy and conditions.

### **Implications of Recommended Options**

#### **13. Resources**

- a. **Financial Implications** – The Strategic Director, Resources and Digital confirms that there are no additional financial implications arising from this report.
  - b. **Human Resources Implications** - There are no human resource implications arising directly from this report.
  - c. **Property Implications** - There are no property implications arising directly from this report
14. **Risk Management Implications** – There are no risk management implications arising directly from this report
  15. **Equality and Diversity Implications** – An Integrated Impact Assessment of these proposals has indicated a neutral impact.
  16. **Crime and Disorder Implications** – There are no crime and disorder implications arising directly from this report.
  17. **Health Implications** - There are no health implications arising directly from this report
  18. **Climate Emergency and Sustainability Implications** – The proposals will contribute to the Council’s Climate Change Strategy (2022) and to the actions the Council committed to when declaring a Climate Change Emergency on 23 May 2019.
  19. **Human Rights Implications** - There are no human rights implications arising from this report

20. **Ward Implications** - This report affects all wards equally.

21. **Background Material**

The following documents that have been considered in preparation of the report:

- Council's Corporate Plan 2023 – 2028 Making Gateshead Thrive
- Gateshead Health and Wellbeing Strategy
- Gateshead Economic Development Strategy
- Gateshead Community Strategy Partnership Plan
- Council's Climate Change Strategy (2022)
- Department for Transport's Statutory Taxi and Private Hire Vehicle Standards (Revised 25 November 2022)
- Department for Transport Taxi and private hire vehicle licensing: best practice (revised 17 November 2023)
- North East Transport Plan 2021-35

### Executive Summary

The Draft Hackney Carriage and Private Hire Policy provides a cohesive document that brings together all policies, procedures, conditions and standards relating to hackney carriage and private hire licensing.

The primary and overriding objective of the policy is the protection of the public.

The draft policy has been developed alongside the core policies of Gateshead Council including the Council's Corporate Plan 2023 – 2028 Making Gateshead Thrive, Gateshead Health and Wellbeing Strategy, Gateshead Economic Development Strategy, the Community Strategy Partnership Plan and the Climate Change Strategy and the regional North East Transport Plan 2021-35

The draft policy reflects the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards (Revised 25 November 2022) and Department for Transport Taxi and private hire vehicle licensing: best practice (revised 17 November 2023.) and the format has been aligned as far as possible.

Consideration has also been given to the policies of neighbouring authorities and bringing all of the individual documents together will make the policy more understandable and accessible for applicants, licensees, the travelling public and our partner enforcement bodies.

The draft policy sets out the process for application, the eligibility requirements for licensees, how Gateshead Council will exercise its powers when making decisions about new licence applications, renewal applications and current licences and the conditions, standards and expectations that are placed on licensees.

The main changes set out in the draft policy include:

- Changing the maximum age for a newly licensed vehicle to 4 years from 3 years which will make the licensing of affordable low emission vehicles more accessible
- Removing maximum age restriction on vehicles that are fully electric / zero emissions at source
- Proposing mandatory exploitation and disability training for licensees in line with DfT standards and guidance
- Proposing a colour policy for Hackney Carriages to enhance the ability of users to distinguish between hackney carriages and private hire vehicles
- Changes to the relevance of convictions to align our policy with DfT standards