

TITLE: Department for Transport (DfT) – Best practice guidance update

Committee: Licensing Committee

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1.0 Issue

1.1 To consider the latest version of the Department for Transport's Best Practice Guidance for England document published in 2023.

2.0 Recommendation(s)

2.1 That Members consider the report and:

- agree to commence work on producing a specific taxi and private hire Inclusive Service Plan (ISP) to be brought back to a future committee for further consideration.

3.0 Background

3.1 The Department for Transport (DfT) has issued guidance on taxi and private hire vehicle licensing since 2006 to assist local authorities that have responsibility for the regulation of the taxi and private hire vehicle trades. This is updated periodically, considering legal changes, stakeholder views and changes in the way the sector operates.

3.2 On 17 November 2023 the DfT published its long-awaited updated guidance document which looks to complement the Statutory Taxi and Private Hire Vehicle Standards document published by Government in 2020.

3.3 The DfT Best Practice Guidance (DfT BPG) does not seek to cover the whole range of licensing requirements, nor does it seek to give a definitive statement on the law or seek to take away the Licensing Authorities responsibility for deciding its own policies and decision making. In that regard it is important to note that it is there to have regard to, but it is not mandatory to follow any or all of the matters contained within it.

4.0 Summary

4.1 The Council's Licensing Authority takes its role very seriously, and places public safety at the forefront of all decisions made by officers and Members alike. To assist Officers, Members, applicants, licence holders and members of the public the Licensing Authority maintains a Hackney Carriage and Private Hire Licensing Policy (HC&PH policy). The existing policy was reviewed in its entirety in 2023

following a number of minor updates since the previous version was fully consulted upon back in 2018.

4.2 Whilst the review of the HC&PH policy in 2023 occurred prior to the publishing of the 2023 DfT BPG, Officers are pleased to say that all of the subjects talked about in the DfT BPG are already in place on a day to day basis. Some of these are listed below:

- Having a points based enforcement system
- Regularly reviewing the fees charged
- Safeguarding and disability awareness training
- Applying policy changes retrospectively to existing licences as well as new licences
- Not having a quantity restriction on Hackney Carriages
- Monitoring fare rates to ensure they remain appropriate
- Providing information on flexible transport services
- Not having mandatory age limits on vehicles
- Having regard to the Regulator's code when setting standards
- Having regard to the Public Sector Equality Duty

4.3 From reading the DfT BPG it is very clear that the DfT wishes to put accessibility at the forefront of Licensing Authority's minds. Section 4 looks at accessibility issues and mentions the difficulties that can be experienced by disabled persons such as, having suitable vehicles available in their area, having suitable means of communication when attempting to book a journey, and their experience when taking a journey in a licensed vehicle.

4.4 The DfT BPG suggests that all Licensing Authorities should develop and maintain an inclusive service plan (ISP) either as a standalone document or an integral element of a wider strategy to facilitate service accessibility. The Council currently maintains an Equality, Diversity & Inclusion Policy, but this does not specifically cover accessibility issues surrounding taxi and private hire vehicle use.

5.0 Conclusion

5.1 The Council's Licensing Authority is a very well-respected service with high standards of entry, and high standards expected in order to remain licensed. The current policy adopted by the Licensing Authority in 2023 is well placed to ensure all parties are aware of how the Licensing Authority administers this area of licensing.

5.2 The HC&PH policy also aligns well with the various regulatory provisions in force at this time, however, the publishing of the DfT BPG has shown that the Licensing Authority can look to see if there are opportunities to do more to assist those with disabilities.

5.3 To demonstrate the Council's commitment to improving accessibility, Officers would recommend commencing work on producing a specific taxi and private hire Inclusive Service Plan (ISP). This would then be brought back to a future committee for further consideration.

6.0 **Financial Implications**

- 6.1 If the proposal in this report is taken forward, there will be a cost to the Licensing Authority in Officer time that will be covered by the existing fees. There will be no financial impact on the trade at this time.
- 6.2 An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community if Members follow the Officer recommendations.

Appendices

None

Background Documents:

The Local Government (Miscellaneous Provisions) Act 1976

Town Police Clauses Act 1847

[DfT Best Practice Guidance](#)

