

GENERAL PURPOSES COMMITTEE

3 SEPTEMBER 2020

NATIONAL STATUTORY STANDARDS FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE PASSENGERS

1.0 Purpose of Report

1.1 To update Members on the new statutory guidance relating to hackney carriage and private hire vehicle passengers and the implications for Newark & Sherwood DC.

2.0 Background

2.1 In July the Government published what it described as ‘robust new standards for the taxi and private hire vehicle sector across England and Wales’. They are designed to reduce the risk of harm to passengers and help improve consistency across local authorities.

2.2 They do not address the cross border issues being experienced by many authorities.

2.3 The Secretary of State for Transport made this statement ‘licensing authorities will be expected to fully implement these measures as soon as possible. The department will closely monitor progress, work with authorities not meeting their responsibilities and look to introduce legislation if licensing authorities fail to adopt the standards and update their operations.’

3.0 Statutory Guidance for Taxi & Private Hire Vehicle Standards

3.1 The statutory guidance has been issued under the Policing & Crime Act 2017 and its focus is on protecting children and vulnerable adults from harm, however all passengers will benefit from the standards.

3.2 The standards in statutory guidance replace relevant sections of the Best Practice Guidance issued by the Department of Transport in 2010. The Statutory Taxi and Private Hire Vehicle Standards reflect the significant changes in the industry and lessons learned from experiences in local areas since the 2010 version of the Department’s Best Practice Guidance. This includes extensive advice on checking the suitability of individuals and operators to be licensed.

3.3 The document sets out a framework of policies that, under section 177(4) of the Policing and Crime Act 2017 licensing authorities “must have regard” to when exercising their functions. These functions include developing, implementing and reviewing their taxi and private hire vehicle licensing regimes. The introduction to the Statutory guidance make the following comment ‘**Given that the standards have been set directly to address the safeguarding of the public and the potential impact of failings in this area, the importance of thoroughly considering these standards cannot be overstated**’. It is not a question of box ticking; the standards must be considered rigorously and with an open mind.

- 3.4 Officers with Licensing have studied the new standards and have made a comparison with the current NSDC Taxi and Private Hire Vehicle Policy. As Members are no doubt aware Newark & Sherwood have been at the fore front of driving forward passenger safety and the comparison has revealed that many of the standards proposed are already in place. However, some amendments to the policy will be required to ensure that it reflects the statutory guidance.
- 3.5 One area for future consideration will be the matter of the assessment of previous convictions. The new statutory guidance sets out a set of principles that are not currently aligned with the Newark & Sherwood Policy and therefore this will need to be addressed.

4.0 Proposals

- 4.1 The new guidance will require a review of the current NSDC Taxi and Private Hire Vehicle Policy to ensure that the existing policy meets all the requirement of the new statutory guidance.
- 4.2 It is proposed that the NSDC policy is reviewed against the requirements of the new policy and that a report is presented to November General Purposes Committee with a recommendations for amendments to the NSDC policy.

5.0 RECOMMENDATIONS that:

- (a) Members note the publication of new statutory guidance relating to taxis and private hire vehicles; and**
- (b) a review of the current NSDC taxi policy be undertaken and a report outlining changes be presented to the next General Purposes Committee.**

Background Papers

NSDC Taxi Policy

Sstatutory guidance relating to hackney carriage and private hire vehicle passengers – Dept for Transport 2020

For further information please contact Alan Batty on Extension 5467.

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