

**West Northamptonshire Council**  
**Taxi and General Licensing Committee**

**15 December 2022**

<b>Draft Private Hire Vehicle and Hackney Carriage Licensing Policy 2022</b>
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**Report of the Assistant Director – Regulatory Services**

This report is public

## **1.0 Purpose of report**

The purpose of the report is to seek approval of the draft West Northamptonshire Council Private Hire Vehicle and Hackney Carriage Licensing Policy prior to public and stakeholder consultation.

## **2.0 Recommendations**

Members are recommended to :

- 2.1 Approve the draft West Northamptonshire Council Private Vehicle Hire and Hackney Carriage Licensing Policy (“the draft Policy”) at **Appendix A** for consultation with the public and stakeholders,
- 2.2 Delegate authority to the Assistant Director - Regulatory Services to consider responses and, if thought necessary, amend the draft Policy in consultation with the Chair of the Taxi and General Licensing Committee and;
- 2.3 Delegate authority to the Assistant Director - Regulatory Services to make minor amendments to the Policy once made and if required.

## **3.0 Introduction**

- 3.1 We want those using taxis in West Northamptonshire to have a safe, reliable and pleasant experience.
- 3.2 Taxis regularly transport passengers who may be vulnerable, for example when the passenger is under the influence of drink or drugs or is travelling alone. There is a need to promote the highest safeguarding standards to protect both passengers and drivers. It is also important that drivers are aware of the signs and have the confidence to alert the authorities about the concerns that they may have about the safety of vulnerable passengers.
- 3.3 This report refers to a new draft Policy which improves and strengthens our existing policies. With a new Licensing Team in place, it provides an opportunity to publish a new policy which builds on the best practice identified from each of the old sovereign Councils.

- 3.4 The policy takes into consideration the recommendations contained within the “Statutory Taxi and Private Hire Standards” document published by the Department for Transport in July 2020.

### **3.0 Report Details**

- 3.1 The new draft Policy would, if eventually made, replace the current and still in force Northampton Borough, Daventry District and South Northamptonshire District Council policies and includes a number of updates and improvements with a clear policy statement.
- 3.2 This policy document sets out the driver, vehicle and operator standards and the way we will undertake our responsibilities for hackney carriage and private hire licensing. The policy sets out a clear approach to these matters for officers, members of the trade and the public.
- 3.3 The significant areas this policy focuses on are:
- improved driver standards,
  - strengthening the “fit and proper person” test
  - a more rigorous convictions policy
  - mandatory safeguarding training
  - spoken English testing
  - driving standards training
- 3.4 The focus of this policy is to increase standards and therefore increase public safety. The policy will apply to all current licence holders and all new applicants.

### **4.0 Conclusion and Reasons for Recommendations**

- 4.1 By approving the draft Policy we will be able to consult and then implement a policy which will improve and strengthen our taxi licensing regime, ensuring public safety.

### **5.0 Consultation**

- 5.1 In the interests of transparency, and in keeping with the principles of the Regulators Code, a consultation will be carried out to seek the views of those that would be affected by the Policy, if made.
- 5.2 As well as publishing the consultation on our website we will consult directly with our licensed drivers and operators.
- 5.3 Consultation will take place widely with partners and stakeholders including the public, neighboring local authorities and Northamptonshire Police.

### **6.0 Implications**

## 6.1 Financial and Resource Implications

There are no financial or resource implications directly related to this report.

*Comments checked by Dawn Leader, Strategic Finance Business Partner,  
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## 6.2 Legal Implications

- 6.2.1 The only lawful means by which a Licensing Authority can impose conditions on hackney carriage and private hire vehicle, driver and operator licenses and set out its requirements for applications for the same, is to introduce a policy, such as the one proposed, following consultation with stakeholders.
- 6.2.2 A decision to give the Assistant Director for Regulatory Services delegated authority to make the draft Policy in due course, after taking into account any responses received during the consultation process and after consulting the chairperson of the Licensing Policy as to whether any amendments ought to be made in light of those responses, would be lawful.
- 6.2.2 The only legal duty the Council is under with regard to any responses received as a result of a consultation process, with regard to the making of any new policy concerning a statutory or discretionary regulatory scheme of licensing, is to take them into account when making that decision. There is no legal duty to comply with the recommendations or wishes of any responses received during the consultation process. Provided the legal duty is followed, the risk of a successful challenge by way of judicial review by any person aggrieved by the making of a such a policy is likely to be minimal.

Comments added by James Chadwick, Senior Licensing and Litigation Solicitor.

## 6.3 Comms implications

The Council will promote the consultation and opportunity for stakeholders and residents to have their say via its communications channels. This will be supported with further communications activity outlining any decisions and proposed next steps.

*Checked by Beth Longhurst, Communications Business Partner,  
[Bethany.longhurst@westnorthants.gov.uk](mailto:Bethany.longhurst@westnorthants.gov.uk)*

## 7.0 Decision Information Wards Affected

- 7.1 All

### Lead Councillor

- 7.2 Councillor David Smith, Cabinet Member for Community Safety and Engagement

## Document Information

<b>Appendix No.</b>	<b>Title</b>
Appendix A	Draft Private Hire Vehicle and Hackney Carriage Licensing Policy.
<b>Background Papers</b>	
Statutory Taxi and Private Hire Standards (July 2020); Department for Transport.	
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