

# **Review of Statutory Taxi & Private Hire Vehicle Standards**

## **Community Services Committee – 23<sup>rd</sup> November 2021**

Report of: Alison Boote, Executive Head of Communities

Purpose: For decision

Publication status: Unrestricted

Wards affected: All

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### **Executive summary:**

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Following the publication of the Statutory Taxi & Private Hire Vehicle Standards, the Council should consider the standards and publish a delivery plan for the steps necessary to fully achieve these standards.

As a result, the Council's 'Guidance for proprietors and drivers of Hackney carriage and private hire vehicles' will need to be revised, subject to a public consultation.

Members are asked to note the review of the National Standards attached at Appendix 'A', and, subject to any comments, amendments or additions, agree to the delivery plan attached at Appendix 'B'.

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### **This report supports the Council's priority of:**

Supporting economic recovery in Tandridge

The implementation of the Statutory Taxi & Private Hire Vehicle Standards will raise taxi safety standards across the nation. This will support local communities and businesses that rely on a safe local taxi service.

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## **Recommendations to Committee:**

That:

- A. Members note the review of the Statutory Taxi & Private Hire Vehicle Standards as shown in Appendix 'A'.
  - B. Members agree to the delivery plan for meeting the Statutory Taxi & Private Hire Vehicle Standards as shown in Appendix 'B'.
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## **Reason for recommendation:**

On the 21<sup>st</sup> July 2020, the Government issued the Statutory Standards to licensing authorities to enhance the safeguarding measures the taxi and private hire vehicle licensing regime requires and so protect the most vulnerable in communities.

Making the necessary changes to our policy to align them with the Statutory Standards is important to secure the safety of passengers.

The Department for Transport's view is that the review should be completed before 31 December 2021, so that any changes to policies can be in place as soon as possible in 2022.

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## **Introduction and background**

- 1 Under the Policing and Crime Act 2017 the Secretary of State for Transport is enabled to issue statutory guidance on the exercising of taxi and private hire vehicle licensing functions to protect children and vulnerable individuals who are over 18 from harm when using these services.
- 2 On 21 July 2020, the Department of Transport issued Statutory Taxi & Private Hire Vehicle Standards, referred to in this report as the 'The Statutory Standards'.
- 3 The Statutory Standards replace relevant sections of the Best Practice Guidance issued by the Department in 2010. Where there is a conflict between the Statutory Taxi and Private Hire Vehicle Standards and the Best Practice Guidance, the Statutory Standards take precedence.
- 4 The Statutory Standards are the result of extensive consultation with the police, the trade, the Institute of Licensing and others and sets out the approach that Licensing Authorities must adopt when carrying out their functions.

- 5 The introduction to the Statutory Standards states that the Department for Transport “expects these recommendations to be implemented unless there is a compelling local reason not to.”
- 6 It is clear therefore that it is the desire of the Government to see consistent standards applied by taxi and private hire licensing authorities across the country and state within the guidance- ‘In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these’.
- 7 This authority has already previously implemented a number of the recommendations on its own volition. However the review of the Statutory Standards provides the opportunity to consider further changes.
- 8 The areas considered within the Statutory Standards cover a wide range subjects. The Statutory Standards are available in full as a [background paper](#).

## **The Review of the Statutory Standards**

- 9 A summary of the recommendations within the Statutory Standards, along with an assessment on the current position at Tandridge D.C. and the action necessary to achieve the Statutory Standard is attached at Appendix ‘A’.
- 10 A proposed delivery plan setting out the process for implementing the Statutory Standards is attached at Appendix ‘B’.

## **Key implications**

### **Comments of the Chief Finance Officer**

There are no revenue or capital financial implications contained within the recommendations.

## **Comments of the Head of Legal Services**

The Statutory Taxis and Private Hire Vehicles Standards have been issued under the Policing and Crime Act 2017 and came into effect on 20 July 2020. The Act enables the Secretary of State for Transport to issue Statutory Guidance on exercising Taxi and Private Hire licensing functions to protect children and vulnerable adults from harm when using these services. Section 177(4) of the Act places a statutory duty upon any public authority which has licensing functions under taxi and private hire vehicle legislation to have regard to any such guidance. These functions include developing, implementing and reviewing their taxi and private hire vehicle licensing regimes. In accordance with the provisions within the Act, the Department for Transport published the final Statutory Taxi and Private Hire Vehicle Standards in July 2020. Standards have been issued in light of evidence that taxis and private hire vehicles are viewed as a high-risk environment, specifically in terms of risks to passengers.

The Licensing team have reviewed the Council's current policy against the Department for Transport's Standards and the result of this review is set out in Appendix A to this report. Recommendations contained within the document which are not currently in place will require addressing.

## **Equality**

The proposals within this report do not have the potential to disadvantage or discriminate against different groups on the community.

It is not considered that an Equalities Impact Assessment is required for the agreement on the delivery plan.

## **Climate change**

There are no significant environmental / sustainability implications associated with this report.

## **Appendices**

Appendix 'A' - Review of the Statutory Standard

Appendix 'B' - Delivery Plan

## **Background papers**

[The Statutory Taxi & Private Hire Vehicle Standards](#)

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