

REPORT TO:	Licensing Committee
DATE:	5 th March 2019
LEAD OFFICER:	Head of Planning and Public Protection
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SUBJECT:	Draft response to Welsh Government consultation on Improving public transport

1. PURPOSE OF THE REPORT

- 1.1 To inform members of a consultation taking place in Wales in respect of public transport, including taxis, and to update Members on a proposed response to that consultation.

2. EXECUTIVE SUMMARY

- 2.1 Welsh Government are consulting on a White Paper on proposals to legislate for reforming the planning and delivery of local bus services and licensing of taxis and private hire vehicles in Wales. Officers have considered the consultation document and questions posed by the Welsh Government and have drafted a proposed response.

3. POWER TO MAKE THE DECISION

- 3.1 No decision required.

4. BACKGROUND INFORMATION

- 4.1 Hackney Carriage Vehicles (“Taxis”) cannot operate unless both the vehicle and its driver are licensed by a local authority under the Town Police Clauses Act 1847. Private Hire (“PHV”) vehicles, drivers and operators cannot operate without licences granted under the Local Government (Miscellaneous Provisions) Act 1976.
- 4.2 Although granting a licence is contained in legislation, individual local authorities are able to apply conditions, policies and procedures to the process and as such can vary from region to region.

- 4.3 The Welsh Government launched a consultation period seeking views on a white Paper “Improving Public Transport”. The consultation document is attached at Appendix A.
- 4.4 The consultation runs to 27th March 2019.
- 4.5 The consultation looks at how local bus services are planned and delivered as well as looking at the reform of taxis and private hire vehicle licensing. This report considers the taxi and private hire aspect only.
- 4.4 There are four main areas the consultation document is looking for views on, namely:
- **Proposals to set national standards for taxi and private hire vehicle licensing.** All taxis and PHVs in Wales would have to meet these standards in order to obtain a licence. These standards would subsequently be set by regulations and so there will be further consultation on their content.
 - **Proposals to allow a licensing authority to take enforcement action against any vehicle operating in its area.**
 - **Proposals to allow the creation of a mechanism by which relevant information can be shared, for the purposes of safeguarding.**
 - **Proposals to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority, a Joint Transport Authority (JTA).** This would include licensing, fee- and fare-setting, enforcement, hearing appeals arising from licensing decisions, prosecutions and deciding matters such as whether to apply quantity controls to taxis
- 4.7 A number of questions are posed and a draft response has been prepared and is attached at Appendix B. This response is intended to inform a Cabinet briefing to enable a collated response on all aspects of the consultation.
- 4.8 In respect of the Joint Transport Authority views are sought on two options:
- Option A – Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority?
 - Option B – Do you think that local authorities should continue to have responsibility for taxi and PHV licensing?

5. CONSIDERATIONS

- 5.1 Members are asked to consider the content of the White Paper and the proposed response.
- 5.2 Members should note that Option A (as outlined in paragraph 4.8 above) could have a significant financial impact on the financing of the Licensing team.
- 5.3 The intention for Option B (as outlined in paragraph 4.8 above) is for improvements made to standardisation, enforcement and information-sharing rather than remain as is.

6. RECOMMENDATIONS

- 6.1 That Members note and support on the contents of this report and the proposed response, and
- 6.2 Subject to any amendments proposed, Members authorise the Head of Planning and Public Protection to present the final draft as the response to the Welsh Government consultation on Improving Public Transport, in so far as it relates to taxi and private hire licensing.