

**Report To:** Performance Scrutiny Committee

**Date of Meeting:** 24<sup>th</sup> October 2013

**Lead Member:** Lead Member for Public Realm

**Report Author:** Head of Planning and Public Protection/  
Public Protection Manager

**Title:** Taxi Licensing Update

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**1. What is the report about?**

1.1 The report provides an update on the Council's Taxi Licensing function and recent changes to procedures and delegation authority.

**2. What is the reason for making this report?**

2.1 To inform Members of the progress that has been made in reviewing the taxi licensing function including the implementation of improved, more robust procedures for the protection of the public, particularly the vulnerable within our communities.

**3. What are the Recommendations?**

That Members consider the information provided and comment accordingly.

**4. Report details.**

4.1 Members will remember that a report was presented to Scrutiny Committee in November 2012 providing an update on the comprehensive review being undertaken on taxi licensing systems and to inform Members of the future forward work programme of the Licensing Committee. Members supported the approach being developed. We are now able to provide a further update on the work undertaken to date.

4.2 In Denbighshire there are currently:

<b>Type of License</b>	<b>Number Issued</b>
Private Hire Vehicle Licensed Operators	17
Private Hire Vehicle Licensed Vehicles	84
Private Hire Licensed Drivers	49
Hackney Carriage Licensed Vehicles (Taxis)	238
Hackney Carriage + Private Hire Vehicle Licensed Drivers	338

Licenses are received, considered and issued by the Licensing Officers within the Public Protection Section. Vehicle licenses are issued by Fleet Services once authorised by Licensing Officers. The licensing administration system however involves a number of Officers, including Licensing, Community Safety Enforcement, Fleet, Members and outside agencies including the police. It is therefore important to ensure that a robust system is in place which is understood by all parties. In addition to the Licensing administration system is the need for a strong, proactive enforcement regime which is led by the Council's Community Safety Enforcement team, also within the Public Protection Section. Enforcement is often a partnership approach with Officers working closely with other Enforcement Agencies.

- 4.3 In addition to taxi licensing and associated enforcement the Licensing administration and Community Safety Enforcement Officers also licence and regulate a variety of other licensable activities e.g. Premises & Personal Licences for the purposes of the sale of alcohol, gambling premises licences, street trading, market regulations etc.
- 4.4 The total income received from all licensing related matters in Public Protection is approx £225k of which approx £115k is generated from taxi related activities.
- 4.5 In order to ensure that the taxi licensing process is as robust as possible a full systems thinking review was undertaken of the taxi licensing processes. This was facilitated by internal audit and involved Officers from licensing, Community Safety Enforcement, fleet, legal, social services and North Wales Police.
- 4.6 The group reviewed 8 separate taxi licensing processes and produced newly revised procedures. These were subsequently reviewed by a specialist licensing solicitor (James Button) to ensure that they were legally sound.
- 4.7 All revised procedures were presented to the Head of Planning and Public Protection for approval in May 2013 and were subsequently approved by Licensing Committee in June 2013. These are now being implemented by officers. The new procedures included changes to the delegation agreement. Attached as Appendix 1 are the new procedure documents as approved by Licensing Committee.
- 4.8 In addition to the review of procedures, we are also undertaking a complete review of our taxi licensing policies. This covers standards for driver convictions, conduct and behaviour, dress code, vehicle standards and others. This process has started with a public engagement exercise to find out what the residents and visitors think of the taxi trade and their experiences of using taxis within the county. The findings of the exercise are now being collated prior to further internal discussions on the content of any future revised Policy.

- 4.9 A revised Policy is intended to provide us with higher standards and should drive up standards even further within the taxi fleet. It is also proposed to introduce a penalty points system for breaches of licence conditions; so that incremental enforcement action may be taken against licence holders that routinely breach a variety of conditions. The revised Policy was hoped to be reported to Licensing Committee in December. However the project is more complex than initially envisaged, as such Licensing Committee will be asked in December to review its Forward Work Programme, including when best to report on the revised policy. Attached as Appendix 2 is a copy of the Forward Work Programme for Licensing Committee.
- 4.10 A significant amount of enforcement work has been done over recent times to tackle the non compliant drivers and operators. This has been as part of a multi agency approach with VOSA, North Wales Police and other agencies including the Dept of Work and Pensions. Several operations have been undertaken, where taxis have been stopped on the road and examined to make sure that they are safe and that they are operating in compliance with their licence conditions. This has resulted in several prohibitions and suspensions taking place and some taxis being immediately taken off the road due to the poor standard of vehicles. These operations are having an effect of improving standards and there is now an awareness and an understanding within the trade that we will take robust and proportionate action against non compliant operators. Attached as Appendix 3 are PR related items regarding Taxi Enforcement Work led by our Community Safety Enforcement team.

## **5. How does the decision contribute to the Corporate Priorities?**

- 5.1 The work on reviewing the taxi licensing process, with particular emphasis on safeguarding the public directly contributes to the corporate priority of 'Protection of the vulnerable' and also the wider aim and Service Outcome of keeping our communities safe.

## **6. What will it cost and how will it affect other services?**

- 6.1 The cost will be met within service budgets with the new procedures improving internal governance arrangements when dealing with the taxi trade and protecting the public.

## **7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

- 7.1 An equality impact assessment for this decision is not required. Equality impact assessments have and will be undertaken for each review of procedures and policies.

## **8. What consultations have been carried out with Scrutiny and others?**

- 8.1 Consultation has taken place throughout this process with officers from the Planning and Public Protection, Fleet Services, Legal Services, North Wales

Police, Social Services, the licensed taxi trade and members of the public. Licensing Committee is kept fully updated, authorised changes to policies and procedures and makes decisions on a range of licensing issues.

**9. Chief Finance Officer Statement**

There are no further financial implications, costs met within existing budgets.

**10. What risks are there and is there anything we can do to reduce them?**

The review of procedures and policies is designed to reduce the risk of procedural maladministration and not to ensure the Council takes appropriate action to regulate the taxi trade and to protect the public.

**11. Power to make the Decision**

Article 6.3.3(a) of the Council's Constitution sets out Scrutiny's powers with respect to policy matters.

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