



**ST HELENS**  
BOROUGH COUNCIL

## Licensing and Environmental Protection Committee

**9 December 2020**

<b>Report Title:</b>	<b>Statutory Standards in Taxi Licensing</b>
<b>Cabinet Portfolio</b>	Safer, Stronger Communities
<b>Cabinet Member</b>	Cllr Jeanie Bell
<b>Exempt Report</b>	No
<b>Reason for Exemption</b>	N/A
<b>Key Decision</b>	No
<b>Public Notice issued</b>	N/A
<b>Wards Affected</b>	All Wards
<b>Report of</b>	Lisa Harris Executive Director, Place Services Email - LisaHarris@sthelens.gov.uk
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<p><b>Borough priorities</b></p> <p>Please mark <b>X</b> for any priority supported by this report</p> <p><b>NB</b> Use Section 4 - Background Information to explain how each selected priority is supported</p>	Ensure children and young people have a positive start in life	
	Promote good health, independence and care across our communities	
	Create safe and strong communities for our residents	X
	Support a strong, diverse and well-connected local economy	X
	Create a green, thriving and vibrant place to be proud of	
	Be a modern, efficient and effective Council	

## 1. Summary

- 1.1 To provide an update to members on the new Statutory Taxi and Private Hire Vehicle Standards.

## 2. Recommendations for Decision

- 2.1 Licensing & Environmental Protection Committee **is recommended to:**

i) authorise the Licensing Manager to undertake a full consultation into the standards prior to adoption.

## 3. Purpose of this Report

- 3.1 Members will be aware that on 24 April 2019 a report was presented to this Committee which noted the Government's intention to introduce new Statutory Standards for Taxi Licensing.
- 3.2 St Helens' response to the consultation, along with the joint response from the Liverpool City Region authorities, was also noted.
- 3.3 The Secretary of State for Transport has now published these Standards in statutory guidance issued under the Policing and Crime Act 2017, with effect from 20 July 2020.
- 3.4 All Councils must now hold a wide-ranging consultation into the standards and report back to Government on their intentions regarding implementation.
- 3.5 The Licensing Authority will be required to publish on its website and inform Government of whether it has chosen to adopt each of the new Standards.
- 3.6 The guidance notes that whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in the guidance are the result of detailed discussion with the trade, regulators and safety campaign groups.

3.7 The Department for Transport therefore expects these recommendations to be implemented unless there is a compelling local reason not to, and as such, it is the intention that the Authority will adopt the Standards in full.

3.8 A copy of the Statutory Taxi and Private Hire Vehicle Standards is attached at Appendix A.

#### **4. Background/Reasons for the recommendations**

##### Existing Safeguarding Controls

4.1 In St Helens, a large number of the standards set out in this document are already in place, due to work completed and policies already introduced by the Licensing Authority.

4.2 Members will be aware that all hackney carriage/private hire driver licence holders have already undergone mandatory safeguarding training, which is a key part of the guidance. This has also already been extended to Operators and to include their booking and despatch staff, which is also highlighted in the guidance document.

4.3 However, there are several significant changes that will require consideration in relation to implementation as follows:

3.3.1 Twice yearly Disclosure and Barring Service (DBS) checks for licensed drivers (this used to be every three years).

3.3.2 New English Language proficiency tests for drivers (both oral and written).

3.3.3 Review of all current licences previously issued, in accordance with the new standards adopted.

3.3.4 Improved safety measures in relation to Private Hire Operators, including an annual basic DBS check.

3.3.5 Revisions to the current Convictions Policy contained in the Council's Taxi Licensing Policy to include the recommendations on previous convictions as set out in the Annex to the guidance.

3.3.6 A move to more driver training being provided by, or under the supervision of, the Licensing Authority.

3.3.7 The responsibility of the Licensing Authority to refer individuals to the DBS for consideration to be added to the barred lists in certain circumstances, i.e. where it is believed the individual presents a risk of harm to a child and/or vulnerable adult.

3.3.8 Multi-agency working between the Licensing Authority, the Police and the MASH team.

3.3.9 Introduction of CCTV (and audio recording) in licensed vehicles.

## The Consultation

- 4.4 The guidance states that the Licensing Authority should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade and that such consultation should not be restricted to trade organisations. As such, in addition to the licensed trade, the consultation will be shared publicly on the Council's website and with partner organisations such as Merseyside Police, Housing Associations, charitable organisations, vulnerable groups, neighbouring authorities, etc.
- 4.2 It is intended to consult for four weeks and to return the responses to this Committee in January 2021 for consideration of the Standards, which would allow sufficient time to respond by the Government's deadline January 2021.

## **5 Conclusions**

- 5.1 Members are recommended to grant authorisation to the Licensing Manager to commence consultation into the Statutory Standards. The responses to this consultation will be reported back to this Committee for consideration in January 2021.

## **6. Implications**

- 6.1 Legal Implications – The Statutory Guidance has been issued under the Policing and Crime Act 2017, with effect from 20 July 2020. The Department for Transport therefore expects these recommendations to be implemented unless there is a compelling local reason not to.
- 6.2 Community Impact Assessment (CIA) Implications - NA
- 6.3 Social Value - NA
- 6.4 Sustainability and Environment - NA
- 6.5 Health and Wellbeing - NA
- 6.6 Equality and Human Rights – NA
- 6.7 Customers and Resident – The Standards will change how Licensing Authorities deliver elements of the service, however they are intended to ensure that the general public, children and those most vulnerable are appropriately protected.
- 6.8 Asset and Property - Nil
- 6.9 Staffing and Human Resource - Nil
- 6.10 Risks - Nil
- 6.11 Finance - Nil
- 6.12 Policy Framework Implications – The Council's Taxi Licensing Policy will need to be updated in due course to reflect the changes implemented in accordance with the new Statutory Guidance.

## **7. Appendices**

## 7.1 Statutory Standards for Taxi Licensing - Appendix A