

<b>This report is public</b>	
<b>New Cherwell District Council Taxi Licensing Policy</b>	
<b>Committee</b>	General Licensing Committee
<b>Date of Committee</b>	15 April 2025
<b>Portfolio Holder presenting the report</b>	Portfolio Holder for Safer Communities, Councillor Robert Parkinson
<b>Date Portfolio Holder agreed report</b>	12 March 2025
<b>Report of</b>	Health Protection, Compliance and Licensing Manager, Jan Southgate

## **Purpose of report**

To present to the General Licensing Committee a draft taxi licensing policy for hackney carriage and private hire to be agreed for consultation with the public and the trade. The draft policy is included in appendix 1 and a summary of changes from the current policy is included in appendix 3.

## **1. Recommendations**

The General Licensing Committee resolves:

- 1.1 To approve the new draft Cherwell District Council Taxi Licensing Policy for consultation with the trade and members of the public.

## **2. Executive Summary**

- 2.1 The Department for Transport (DfT) recommends all licensing authorities have a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This must include, but not be limited to policies on convictions, a 'fit and proper' person test, license conditions and vehicle standards.
- 2.2 The Council's primary aim in carrying out its Taxi and Private Hire licensing function is to protect and promote public safety. The Council must ensure that licensed vehicles are fit for purpose and that licensed drivers are 'fit and proper' in accordance with the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976.
- 2.3 The legislation above provides a broad framework for the licensing of drivers, vehicles and operators, but the detail of how this is done, including standards and conditions, is the responsibility of licensing authorities. Other Acts must also be considered where they apply; for example, the Equalities Act 2010, which places a duty on councils to take steps to meet the needs of disabled people where these

are different from the needs of other people and enables regulations to improve disabled access to taxis.

- 2.4 Cherwell's current Taxi Licensing Policy was published in 2023, and the Council is committed to review this policy at least every five years to ensure it reflects current legislation and guidance. The review to the current policy introduces changes to reflect the latest DfT guidance (which was published in Nov 2023) and make improvements to safety, further encourage the adoption of cleaner vehicles and accessibility for wheelchair access.

## Implications & Impact Assessments

Implications		Commentary		
<b>Finance</b>		The proposed taxi licensing policy changes as outlined in this report will have no financial implications as they will be managed within existing budgets. Kelly Wheeler, Finance Business Partner, 4 March 2025		
<b>Legal</b>		The report sets out the DfT guidance and requirements which the Council must consider when reviewing its policy documentation for taxi and private hire vehicle licencing. Schedule 3 sets out in detail each of the required amendments and the reasoning behind these amendments. Denzil – John Turbervill, Head of Legal Services, 11 March 2025		
<b>Risk Management</b>		There are no risk implications arising as a direct consequence from this report. The proposal could mitigate the risk of not being compliant with DfT guidance. Celia Prado-Teeling, Performance Team Leader, 04 April 2025		
Impact Assessments		Positive	Neutral	Negative
<b>Equality Impact</b>		x		
		The proposed policy will have a positive impact on service users within the protected characteristics as per the comment below.  Celia Prado-Teeling, Performance Team Leader, 04 April 2025		
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?			x	
<b>B</b> Will the proposed decision have an impact upon the		x		
		New policy in line with DfT guidance to promote wheelchair accessibility, an inclusive service plan has been included. This contains fleet limits for		

lives of people with protected characteristics, including employees and service users?				Private hire operators to have wheelchair accessible vehicles. Additionally, the age limit for wheelchair accessible vehicles has been increased to promote the licensing of wheelchair accessible vehicles.
<b>Climate &amp; Environmental Impact</b>	/			The Council has a target of net zero by 2030; the new policy promotes cleaner vehicles by removing the age limit on full electric and hydrogen powered vehicles. Additionally, the age limit for hybrid vehicles is being increased.
<b>ICT &amp; Digital Impact</b>		/		Neutral
<b>Data Impact</b>		/		Neutral
<b>Procurement &amp; subsidy</b>		/		Neutral
<b>Council Priorities</b>	Supporting Environmental Sustainability Healthy, Resilient and Engaged Communities			
<b>Human Resources</b>	N/A			
<b>Property</b>	N/A Mona Walsh, Assistant Director - Property, 3 March 2025			
<b>Consultation &amp; Engagement</b>	8 week public and trade consultation proposed on new policy including a minimum of one engagement event to be held during consultation period at the Council Chamber.			

## Supporting Information

### 3. Background

- 3.1 In November 2023, the DfT revised the Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England. The DfT has issued guidance on taxi and private hire vehicle licensing since 2006 to assist local authorities that have responsibility for the regulation of the taxi and private hire vehicle trades. This is updated periodically, considering stakeholder views and changes in the way the sector operates. This best practice guidance is one of several documents intended to assist the operation and regulation of the sector.
- 3.2 The DfT last published non-statutory best practice guidance to complement the Statutory Standards in 2010 and have revised and re-issued this in November 2023, covering a range of issues outside the remit of the Statutory Standards. The changes to the Taxi Licensing Policy introduce additional requirements to bring the Council's policy in line with the latest DfT best practice guidance and also provides additional incentives for the adoption of cleaner vehicles. Appendix 3 includes Taxi Licensing Policy Change Summary for reference. The new draft policy introduces the following changes which are designed to improve safety, inclusion, compliance and enhance incentives for cleaner vehicles.

## **4. Details**

- 4.1 Inclusive service plan (ISP): introduced in the latest DfT guidance licensing authorities should produce and maintain an ISP as part of their taxi licensing policy. The aim of the ISP is to promote more accessible vehicles and reduce barriers for disabled users. The draft policy includes a requirement for Licensed Operators with 10 or more licensed vehicles facilitating Hire and reward journeys under their operator's license, to aim to have at least 20% of the private hire vehicles operating under their license registered as wheelchair accessible before 01/01/2028. All Licenced Operators will also be required to take steps to identify and record the needs of any customer at the time of taking the booking and allocated suitable vehicles and drivers. To remove the barrier of cost, where additional needs are identified and associated with a disability or registered assistance animal, the Licenced Operator will not be permitted to add additional fees.
- 4.2 Introduce daily documented vehicle checks for driver and operators. Vehicles must be and remain road worthy and safe, these checks are designed to improve and maintain safety and enhance the due diligence of drivers and operators.
- 4.3 Disclosure and Barring Service (DBS) checks management via Taxi Plus, ensures 6 monthly DBS checks are completed automatically, to ensure licenced drivers remain fit and proper. The Statutory Taxi & Private Hire Vehicle Standards, issued by the DfT, have made 6 monthly DBS checks a requirement for the safety of customers since 2020. Currently the taxi policy requires drivers to sign up to on-line DBS, so Council officers can carry out these checks. Taxi-plus automatically carries out these checks on drivers which ensures they are not missed, and the cost will not exceed the current cost to license holders.
- 4.4 Introduction of Council led vehicle inspections to ensure a higher vehicle safety standard. This will be delivered by a 6-month vehicle inspection at the Cherwell District Council depot during each 12-month MOT period, this will replace the current requirement for an additional MOT 6-months into each 12-month MOT. Having council led inspections will ensure consistency and enable the inspections to include taxi licensing specific checks, which the current MOT requirement is unable to incorporate. This will be cost neutral to license holders, as the council led checks will be at no more cost than the MOT cost and the frequency of the checks will be maintained to the current 6-month MOT check for licenced taxi vehicles. This is done so additional taxi compliance checks can be achieved without placing any additional financial burden on licenced drivers and operators.
- 4.5 Ensure licensed operators meet employment laws by requiring them to disclose employee income to HMRC. This is in line with the latest DfT best practice.
- 4.6 Changes to promote cleaner vehicles, vehicles which have wheelchair access that are hybrid vehicles have their vehicle age extended and electric and hydrogen powered vehicles will have the vehicle age limit removed.
- 4.7 Taxi licensing penalty points are a recommended enforcement and compliance tool by the DfT. Cherwell have updated their existing Taxi Licensing penalty points in-line with the new DfT guidance which includes penalty points being issued and valid for a minimum period of 3 years, and five years for a Private Hire operator.

## 5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Leave the current policy in place. This would mean ignoring the latest DfT guidance, this guidance introduces the inclusive service plan for disabled access. Changing the policy also introduces additional safety measures, like document vehicle safety checks and 6 monthly DBS checks for drivers. The draft policy also proposes enhanced incentives for drivers to move to cleaner vehicles which supports the Council's priority of "Supporting Environmental Sustainability" and the current target of net zero by 2030.

## 6 Conclusion and Reasons for Recommendations

- 6.1 The Council must have regard to the Department for Transport's Best Practice Guidance. The changes proposed bring the Council's Taxi Policy in line with the most recent published guidance. All the changes have benefits in one or more of the following areas: improved safety, consistency, compliance, inclusion and improved incentives for the adoption of cleaner vehicles.

### Decision Information

<b>Key Decision</b>	N/A
<b>Subject to Call in</b>	N/A
<b>If not, why not subject to call in</b>	N/A
<b>Ward(s) Affected</b>	All

### Document Information

<b>Appendices</b>	
<b>Appendix 1</b>	Draft Taxi Licensing Policy 2025 v4.0
<b>Appendix 2</b>	Taxi and Private Hire Policy Appendices 2025 V4.0 A-I
<b>Appendix 3</b>	Taxi Licensing Policy Change Summary
<b>Background Papers</b>	None
<b>Reference Papers</b>	DfT Guidance for Local Authorities, DfT Driver vehicle condition checklist, DVLA medical requirements.
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<b>Corporate Director Approval (unless Corporate Director or Statutory Officer report)</b>	Corporate Director for Communities, 12 March 2025
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