

MEETING

Date of Meeting	Thursday, 28 June 2018
Report Subject	Taxi and Private Hire Vehicle Licensing in Wales
Report Author	Gemma Potter

EXECUTIVE SUMMARY

To inform members of a proposed change in legislation for Wales, in relation to taxi and Private Hire Vehicle licensing in Wales.

RECOMMENDATIONS

1	For information only
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REPORT DETAILS

1.00	EXPLAINING THE PROPOSED CHANGES
1.01	In May 2014, the Law Commission for England and Wales published its proposals for the reform of the legislative framework governing the licensing of taxis and private hire vehicles in England and Wales. Following commencement of relevant provisions of the Wales Act 2017, licensing of taxis and private hire vehicles will be a matter within the legislative competence of the National Assembly for Wales.
1.02	It is under this new devolved settlement that the Welsh Government has again considered the proposals for the framework for licensing taxis and private hire vehicles put forward by the Law Commission, for the purpose of bringing new arrangements into effect in relation to Wales.

1.03	<p>The proposed arrangements would:</p> <ul style="list-style-type: none"> • See the introduction of national standards for all taxis and private hire vehicles, set by the Welsh Ministers, with the power for local licensing authorities to set additional standards where it is appropriate to do so; • Local licensing authorities would, however, remain responsible for issuing licences and enforcement for both taxis and private hire vehicles; • Make it easier for providers of taxis and private hire services to work across local authority boundaries and will give licensing officers new enforcement powers to deal with vehicles and drivers licensed in different areas. Tougher penalties on touting are also proposed (actively soliciting customers), including impounding vehicles; • Bring pedi-cabs and novelty vehicles, including stretch limousines within the scope of taxi and private hire regulation but the exemption applied to wedding and funeral cars as part of primary legislation being retained, and • Retain the ability of local licensing authorities to limit the number of taxis working in their licensing area.
1.04	<p>The Welsh Government considers that the majority of the recommendations put forward by the Law Commission would, if introduced, clarify and simplify the legislation governing the licensing of taxis and private hire vehicles.</p>
1.05	<p>A public consultation was launched on 12th June 2017. Following the results of this consultation, the Welsh Government intend to publish a White Paper in Summer 2018.</p>
1.06	<p>The White Paper would propose the following:</p> <ul style="list-style-type: none"> • Removal of the distinction which currently exists between Private Hire and Hackney Carriage vehicles in favour of a single definition. • To set out how out of area working would be limited, by requiring Operators, their employees, owner drivers and vehicles to be licensed by the licensing authority in their area of operation. • Establish national standards for taxis and other private hire vehicles published by the Welsh Ministers and implemented by local licensing authorities. • Propose extending licensing requirements on private hire vehicles other than those providing taxi services, such as wedding and funeral cars, courtesy cars used by garages and hotels, pedi-cabs, other non-motorised vehicles modes of transport used by the public, and executive car services. • Propose to regulate maximum fares and other charges to passengers for journeys undertaken within the distance of not more than seven miles outside the licensing area. • Establish a national database of licensees • Improve enforcement powers and training.
1.07	<p>Members will be updated on the progress of the White Paper</p>

2.00	RESOURCE IMPLICATIONS
2.01	Any changes to the legislation will need to be implemented by the Licensing Team.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None

4.00	RISK MANAGEMENT
4.01	None

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Contact Officer: Gemma Potter – Team Leader Telephone: 01352 703371 E-mail: gemma.potter@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Private Hire – a type of licensed vehicle which can only be booked through a licensed Operator’s office.</p> <p>Hackney Carriage – Black Cab style taxi or purpose built vehicles which have distinguishable features and can be hailed from the street.</p>