



Borough of Telford and Wrekin

Licensing Committee

Thursday 19 December 2024

Taxi Licensing – Restricted Operator, Vehicle & Dual Driver Licences

Cabinet Member:	Cllr Richard Overton - Deputy Leader and Cabinet Member: Highways, Housing & Enforcement
Lead Director:	Anthea Lowe – Director: Policy & Governance
Service Area:	Policy & Governance
Report Author:	Amitabh Singh - Licensing & Night-Time Economy Manager
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Wards Affected:	All Wards
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	Licensing Committee – 19 December 2024

1.0 Recommendations for decision/noting:

It is recommended that Licensing Committee:-

- 1.1 Approves the introduction of a Restricted Operator, Vehicle & Private Hire Drivers Licence as set out in this report, by way of an amendment to the Hackney Carriage and Private Hire Licensing Policy; and
- 1.2 Delegates authority to the Director: Policy & Governance to agree and attach any conditions deemed necessary to ensure public safety to such restricted licences on a case-by-case basis and make determinations as to any pre-licensing requirements which may be necessary.

2.0 Purpose of Report

- 2.1 Members are asked to consider the introduction of restricted licences for operators, vehicles and drivers to ensure that the Council's offer to the private hire market is

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compelling and also to delegate authority to the Director: Policy & Governance to agree suitable conditions of licence in any such instances.

3.0 Background

- 3.1 Members will be aware that since the advent of the Deregulation Act 2015, so long as an operator, vehicle and driver are licensed by the same authority, private hire work may be carried out in any place across the country. As part of responding to the change in legislation, it is considered wise to ensure that the Council's offer to the private hire market is as compelling as possible and to recognise that different operators have different needs. In turn, attracting new operators with new operating models will allow the Council to uphold better standards in the private hire market.
- 3.2 It is not uncommon for Operators to directly employ drivers to only undertake one kind of work, for example, to fulfil home to school transport contracts, and consequently, such drivers do not undertake any other Private Hire work.
- 3.3 The law allows licences to be restricted in terms of the purpose for which the licences have been granted.
- 3.4 Currently Private Hire Drivers Licences with Telford and Wrekin Council are issued with no restrictions on how they can be used, other than as prescribed in legislation. This report seeks to introduce a restricted Operators, Vehicles and Private Hire Drivers Licence for use in pre-determined areas of work – home to school transport, for example.

4.0 Summary of main proposals

- 4.1 Currently Dual Drivers Licences with Telford and Wrekin Council are issued with no restrictions on how they can be used other than as prescribed in legislation. This report seeks to introduce a restricted Operators, Private Hire Vehicle & Drivers Licence for use in certain types of work.
- 4.2 It is hoped that offering restricted licences in respect of operators, vehicles and drivers will allow the Council to ensure its offer to the private hire trade reflects the nature of their business whilst also ensuring public safety, which is the Council's foremost priority and ensuring we licence in a proportionate and effective manner.
- 4.3 Many operators are now beginning to emerge who only employ drivers directly and only carry out defined types of private hire work. An example is home to school transport, operators who provide services for the elderly and other contracted work. By effectively restricting the licence of the operator, vehicle and driver, the Council and the operator can ensure that only the work which they undertake is carried out and reduces the potential for drivers to take on other work, which may not necessarily accord with the operator's model of operation. Restricted licences would

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ensure that quick resolutions could be undertaken by both the Council and operator in situations where a driver chose to operate outside of their permitted use.

- 4.4 The report also seeks delegated authority to the Director: Policy & Governance to agree and attach any conditions deemed necessary to ensure public safety to such restricted licences on a case-by-case basis and make determinations as to any pre-licensing requirements which may be necessary. Licensing Committee will retain overall oversight and in the event of any issues, Licensing Committee will be consulted. It is further envisaged that Committee will be asked to review and agree a revised Licensing Scheme of Delegation to Officers early in the new year to reflect the re-organisation of Council services and revised officer roles.

5.0 Alternative Options

- 5.1 Licensing Committee could decide not to approve the recommendations in the report, but in doing so, may risk the Council being less attractive for prospective operators, reduce the Council's ability to ensure the necessary oversight of work undertaken in its area and also lead to existing Telford and Wrekin drivers deciding to licence with other licensing authorities.
- 5.2 It is widely reported across the Private Hire Industry that the recruitment of drivers is becoming increasingly difficult with lots of competing alternative driving opportunities in the food and parcel delivery service areas and the proposals in this report seek to overcome some of the difficulties in driver retention being seen across the private hire sector.

6.0 Key Risks

- 6.1 Local Authorities that are offering this restricted type of licence are seeing an increase in the number of applications, with operators moving to areas where licences for school transport work is quicker and easier to obtain. There is the possibility that by not offering a similar scheme, we may see operators move out of the local area, allowing for less local regulation and an impact on the income to the council that balances the cost of the service provision.

7.0 Council Priorities

- 7.1 The recommendations in this report, support the following Council policies:
- Everyone benefits from a thriving economy; and
 - All neighbourhoods are a great place to live.

8.0 Financial Implications

- 8.1 Taxi licensing is provided on a self-funding basis, should the introduction of this

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scheme see an unlikely significant uptake in applications, requiring additional resources, then this can be addressed in the setting of fees and charges for the service.

9.0 Legal and HR Implications

- 9.1 The Council, as Licensing Authority must be satisfied that a person applying for, or holding, a driver or operator licence is a "fit and proper person" as outlined in the Local Government (Miscellaneous Provisions) Act 1976.
- 9.2 The Council's Hackney Carriage and Private Hire Licensing Policy (attached to this report) which came into effect on 1 April 2023, sets out what the Council considers is fit and proper for the purpose of holding a Licence and any proposed amendment to this policy document will not undermine the fit and proper test that is applied.
- 9.3 In accordance with provisions within the Local Government (Miscellaneous) provisions Act 1976, a district council may attach to the grant of a licence such conditions as they may consider reasonably necessary.
- 9.4 There is the ability to attach a condition to a Private Hire Drivers Licence that will restrict the use to specific, pre-defined types of use under the Local Government (Miscellaneous Provisions) Act 1976.

10.0 Health, Social and Economic Implications

- 10.1 Whilst there are no direct health, social and economic implications arising directly from this report, any increase in the provision of available drivers in certain sectors, home to school transport, for example, will likely lead to more competition and lower prices for local authority contracted work.
- 10.2 On a general basis, in terms of economic impact, the aims of this report are likely to create further opportunities for employment through the licensing regime and possibly allow the Council greater oversight of the private hire work which is undertaken within the borough.

11.0 Equality and Diversity Implications

- 11.1 There are no direct equality or diversity implications arising directly from this report.

12.0 Climate Change and Environmental Implications

- 12.1 There are no direct climate change and environmental implications arising from this report.

14.0 Background Papers

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None

15.0 Appendices

A Telford and Wrekin Taxi Licensing Policy

16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	10/11/2024	10/11/2024	SH
Director	11/12/2024	11/12/2024	ACL