

Licensing Committee – 11 October 2011

## 7. Transport Select Committee Report on Taxis

*Executive Portfolio Holder:* Peter Seib – Regulatory & Democratic Services  
*Group Manager:* Nigel Marston – Licensing Manager  
*Lead Officer:* Nigel Marston  
*Contact Details:* nigel.marston@southsomerset.gov.uk or (01935) 462150

### Purpose of the Report

To update members on the publication of the Transport Select Committee Report into the legislation governing taxis and private hire vehicles,

### Recommendation

That members note the report.

### Background

A Transport Select Committee was set up in 2010 to look at the legislation relating to taxi and private hire vehicles. The report has received evidence from trade bodies, local authorities, the institute of licensing and other organisations with an interest in the sector. The report has now been published.

Launching the report, committee Chair Louise Ellman said, “The rules for taxis date back to 1847 and still refer to horse-drawn carriages. The rules for private hire vehicles were set down in 1976 and are now out of date due to the growth of mobile phones and the Internet. The age of this legislation and the complexity of the case law accumulated in this area makes the need to overhaul the law on these matters irresistible.

The Government wants too refer the matter to the Law Commission. We believe a more effective approach would be for the Government to work with the trade, local authorities and user groups to develop and bring forward new legislation within the lifetime of this parliament.”

### The Proposals

The following principals should underpin any new legislation:

- Service users views must be taken into account, particularly those vulnerable groups such as the disabled and elderly who often rely on taxis and private hire vehicles (PHV’s).
- Legislation must be kept simple. Combine the legislation on taxis and PHV’s in one Act. The distinction between taxi and PHV services could be maintained by providing for 2 types of vehicle licence under the same legislation.
- Keep it local. Licensing should remain a local function. Taxis and PHV’s should however feature more prominently in local transport plans and Government should issue guidance to local authorities about how they should ensure that this happens.
- Permit tighter restrictions on cross border hire. Make it possible for local authorities to impose a condition that requires PHV’s and drivers to operate principally from within their licensing district. Permit local authorities to issue fixed penalty notices to out-of-town drivers found to have worked/sought work for a specified period of time within a district for which they do not hold a licence. Likewise, with due warning make it easier

for local authorities to prosecute operators sending vehicles to work in areas for which they hold no licence.

- Increase the potential for local authorities to work together to create larger licensing districts.
- Develop national licensing standards on certain issues, which relate to public safety, notably for CRB checks, the road-worthiness of vehicles, and the ability of drivers whose licenses have been revoked by one authority to seek a new licence in a different area.

### **Financial Implications**

None.

### **Implications for Corporate Priorities**

None.

### **Other Implications**

None.

**Background Papers:** *Transport Committee - Seventh Report  
Taxis and private hire vehicles: the road to reform*  
<http://www.publications.parliament.uk/pa/cm201012/cmselect/cmtran/720/72002.htm>

---