

**Draft Hackney Carriage and Private Hire Licensing Policy 2021-2026**

<b>Final Decision-Maker</b>	Licensing Committee
<b>Lead Head of Service</b>	John Littlemore, Head of Housing and Community Services
<b>Lead Officer and Report Author</b>	Lorraine Neale
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

**Executive Summary**

This report proposes a number of changes to the Hackney Carriage and Private Hire Licensing Policy (Taxi Policy) to reflect the recommendations from the Department for Transport on a safer system of taxi and private hire vehicle licensing. It also included other proposed changes following the review carried out by Policy & Resources Committee and asks that we agree a basis for consultation with the Taxi and Private Hire trades and the public

**Purpose of Report**

To inform the Licensing Committee on recent government guidance issued in July 2020 ahead of full implementation and the biodiversity and climate change action plan agreed by the Policy & Resources Committee.

**This report makes the following recommendations to this Committee:**

That Licensing Committee consider:-

1. The Statutory Taxi and Private Hire Standards introduced by Government in July 2020.
2. amendments proposed to the Taxi Licensing policy 2019-2024 arising from the statutory standards including any minor amends arising from typographical errors, clarification or feedback.
3. Licensing Committee approve a consultation period appropriate for the proposed amendments to allow for feedback from interested parties.
4. Licensing Committee approve the consultation with the trade for the adoption for the use of the NR3 register.
5. Licensing Committee agree the Carbon neutral vehicle Policy set out at 2.21
6. Licensing Committee receive a further report detailing any feedback, requesting approval of the 2021-2026 Taxi Licensing Policy and agreeing a date for implementation

<b>Timetable</b>	
<b><i>Meeting</i></b>	<b><i>Date</i></b>
Licensing Committee	19 <sup>th</sup> November 2020
Licensing Committee	18 March 2021
Council	14 April 2021

# Draft Hackney Carriage and Private Hire Licensing Policy 2021-2026

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	Senior Licensing Officer
<b>Cross Cutting Objectives</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	Senior Licensing Officer
<b>Risk Management</b>	<ul style="list-style-type: none"> <li><i>A policy would ensure a transparent and consistent approach to licensing that would reduce the opportunity for challenge ultimately through the Courts.</i></li> <li><i>Whilst there is always a right of appeal through the Courts to a decision of the local authority in respect of their licensing function, challenges to a particular decision are more likely to fail if the Council can demonstrate that it has adhered to its published policy and there is no justifiable reason to depart from it.</i></li> <li><i>The authority must report to the Department of Transport in January 2021 on its actions to consider and implement the statutory guidance.</i></li> </ul>	Senior Licensing Officer
<b>Financial</b>	<ul style="list-style-type: none"> <li><i>There are no financial issues because provision is made in the Council's budget for the taxi licensing service, which is run on a cost recovery basis.</i></li> <li><i>The cost of consultation will form part of the administrative function..</i></li> </ul>	Senior Licensing Officer
<b>Staffing</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	Senior Licensing Officer
<b>Legal</b>	<ul style="list-style-type: none"> <li><i>There is no requirement to have a policy but Maidstone Borough Council chose to have one as it was felt that a policy ensures a transparent and consistent approach to licensing.</i></li> </ul>	Robin Harris

	<ul style="list-style-type: none"> <li><i>The Statutory Taxi and Private Hire Vehicle Standards recommends that Authorities have a Policy and that it is regularly reviewed</i></li> </ul>	
<b>Privacy and Data Protection</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	Senior Licensing Officer
<b>Equalities</b>	<ul style="list-style-type: none"> <li><i>Consideration is given to the Equality Act 2010 when amending this policy.</i></li> </ul>	Senior Licensing Officer
<b>Public Health</b>	<ul style="list-style-type: none"> <li><i>The actions of this report will have positive benefits on the health of the local population. Local air quality will improve with the transition away from fossil fuels for Hackney Carriage and private hire vehicles to electricity.</i></li> </ul>	Paul Clarke
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	Senior Licensing Officer
<b>Procurement</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified.</i></li> </ul>	Senior Licensing Officer

## 2. INTRODUCTION AND BACKGROUND

### **STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS**

2.1 Maidstone's current Hackney Carriage/Private Hire Licensing Policy was initially adopted in December 2015 and the current version has been in effect since 16 July 2019. It is felt appropriate to incorporate the conditions stipulated in The Statutory Taxi and Private Hire Vehicle Standards (issued July 20) that are currently not incorporated in our Taxi Policy. These are aimed at safeguarding children and vulnerable adults. The Statutory Standards set-out a range of robust measures to protect taxi and private hire vehicle passengers, particularly those most vulnerable. There is now an expectation that government and licensing authorities must work together to ensure that, above all else, the taxi and private hire vehicle services the public use are safe. Further details can be found here <https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>

2.2 The Department for Transport stated that it will monitor licensing authorities' responses to the Statutory Standards. The Department is aware of the challenges caused by the current coronavirus pandemic and is mindful of this although The Secretary of State is asking all licensing authorities to provide an update to the Department of their consideration of the Standards six months after their publication, so by the end of January 2021. Therefore it expects these recommendations to be implemented unless there is a compelling local reason for not doing so.

- 2.3 Licensing authorities are under a legal duty, under section 177 of the Police and Crime Act 2017, to have regard to the Statutory Standards. It has been declared that in the interests of transparency, all licensing authorities should publish their consideration of the measures contained in the Standards and the policies and to outline delivery plans that stem from these. The update will enable government bodies to engage with those authorities that do not adopt the Standards and to seek from them a rationale for failing to act to protect passengers.
- 2.4 The Statutory Standards are seen nationally an important first step in reforming the way the taxi and private hire vehicle sector is regulated and they should ensure consistent standards between licensing authorities. The Department for Transport fully expects licensing authorities to implement these measures as soon as possible and it is for that reason this initial briefing is provided to this committee to allow a timeline to take this forward.
- 2.5 The Government will later this year consult on revised best practice guidance that will reflect the enormous changes that the industry has undergone in recent years and make clear recommendations on the measures licensing authorities should consider to enable the trade to react to the demands of passengers.
- 2.6 The Statutory Taxi and Private Hire Vehicle Standards document sets out a framework of policies that, under section 177(4), licensing authorities must have regard to when exercising their functions. The Council's current taxi policy, implemented on 16<sup>th</sup> July 2019, compares well to the new Statutory Guidance such that only a few changes are necessary to align with the standards expected by Government.
- 2.7 Initial Review of the Statutory Taxi & Private Hire Vehicle Standards .The table lists key headings raised as the Statutory Standards with a commentary added for each. A brief summary has been included with regard to the present situation for this licensing authority. The areas that require some change to Policy or further investigation have been highlighted and are 7, 13, 16.and 17. There are also some typographical and other amendments alongside the statutory guidance changes. These changes are shown as tracked changes in Appendix 1.

	Heading	Statutory Requirement	Current Position
1	Policies	All licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This should include but not be limited to policies on convictions, a 'fit and proper' person test, licence conditions and vehicle standards. When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public.	Maidstone Borough Council introduced its taxi and Private Hire Policy in 2015 and has kept it fully under review since its introduction.  <b>Insertion at Page 4</b>

2	Duration of Licences	Issuing driver licences for more than a year. Risk can be mitigated for drivers by authorities to undertaking regular interim checks. The Local Government (Miscellaneous Provisions) Act 1976 (as amended) sets a standard length at three years for taxi and private hire vehicle drivers and five years for private hire vehicle operators.	This Council grants one, three and five year licences in line with the legislation and the current taxi policy
3	Whistleblowing	It is in the application of licensing authority's policies (and the training and raising of awareness among those applying them) that protection will be provided. Where there are concerns that policies are not being applied correctly, it is vital that these can be raised, investigated and remedial action taken if required. Licensing authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly. Local authorities should ensure they have an effective 'whistleblowing' policy and that all staff are aware of it	This Council has an up to date policy for staff with regard to Whistleblowing procedures
4	Consultation at the local level	Licensing authorities should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade. Such consultation should include not only the taxi and private hire vehicle trades but also groups likely to be the trades' customers. Examples are groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest e.g. the Campaign for Better Transport and other transport providers), women's groups, local traders, and the local multi-agency safeguarding arrangements. Any changes in licensing requirements should be followed by a review of the licences already issued.	This Council has introduced its current taxi policy by undertaking a full consultation and it maintains effective and timely contact with taxi proprietors, licence holders and the relevant Taxi associations and reflects those used as examples in item 3.12 of the new Statutory Guidance.

5	Disclosure & Barring Service (DBS)	This procedure provides robust safeguarding arrangements while ensuring only relevant information is passed on to employers or regulatory bodies. Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used. Licensee self-reporting Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.	This Council has introduced its current convictions and vetting policy. It fully utilises the DBS process along with Right to Work check for new and renewal applications. An adverse DBS finding will result in a review or referral to a Licensing Sub-committee.
6	Sharing information with other licensing Authorities	Obtaining the fullest information minimises the doubt as to whether an applicant or licensee is 'fit and proper'. An obvious source of relevant information is any previous licensing history. Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority. An applicant should also be required to disclose if they have had an application for a licence refused, or a licence revoked or suspended by any other licensing authority	This Council requires applicants for a licence to declare these details during the application process. The introduction of the NR3 database will enable authorities to check whether applicants Have disclosed honestly.
7	NR3 Database	This should be used by licensing authorities (nationally) to share information on a more consistent basis to mitigate the risk of nondisclosure of relevant information by applicants	This Council like the majority has not yet signed up to the national database for sharing refusal or revocation information.  <b><u>This requires incorporation into the Policy and an additional separate consultation with the trade</u></b>  <b><u>Amendment made to page 8/9 of the policy and Appendix 2 pages 29 &amp; 30</u></b>
8	Complaints against licensees	Complaints about drivers and operators provide a source of intelligence when considering the renewal of a licence or to identify	This Council has a system in place to record complaints reported to and investigated by

		problems during the period of the licence. Patterns of behaviour such as complaints against drivers, even when they do not result in further action in response to an individual compliant, may be indicative of characteristics that raise doubts over the suitability to hold a licence. All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees.	licensing Officers. Officers record the data as a P.I. measurement
9	Overseas convictions	The DBS cannot access criminal records held overseas, only foreign convictions that are held on the Police National Computer may, subject to the disclosure rules, be disclosed. Therefore, a DBS check may not provide a complete picture of an individual's criminal record where there have been periods living or working overseas; the same applies when an applicant has previously spent an extended period (three or more continuous months) outside the UK. It should however be noted that some countries will not provide an 'Certificate of Good Character' unless the individual has been resident for six months or more. Licensing authorities should seek or require applicants to provide where possible criminal records information or a 'Certificate of Good Character'	This Council requires applicants for a licence to obtain and submit a certificate from their own country of previous residence as part of the 'fit & proper' test if they have not lived in the UK for a continuous period of less than five years.  <b>Already in the Policy but included again at page 8 as well as right to work information</b>
10	Decision making administration of the licensing framework	Licensing authorities should ensure that all individuals that determine whether a licence is issued or refused are adequately resourced to allow them to discharge the function effectively and correctly. Training decision makers. All individuals that determine whether a licence is issued should be required to undertake sufficient training	All Licensing officers have undertaken accredited training provided by the Institute of Licensing. Refresher/advanced courses in the Taxi and PH are attended.
11	Immediate revocation	regardless of which approach is adopted, all licensing authorities should consider arrangements for dealing with serious matters	Powers are delegated to Licensing's Head of Service in some instances.

		that may require the immediate revocation of a licence.	For other areas Licensing allow for this serious course of action if required and if so urgent that it may not wait for Licensing sub-committee. Further reporting would then be provided to the Chair of the Licensing Committee on those urgent measures.
12	Fit and proper test	Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a 'fit and proper' person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper to pose oneself the following question: Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night? If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence.	This Council requires applicants for a licence to satisfy all necessary requirements for reasons of public protection. All 'fit & proper' test requirements are detailed in the Taxi and PH Policy
13	Driver licensing criminality checks	Licensing authorities are entitled to request an enhanced criminal record certificate with check of the barred lists from the DBS for all driver licence holders or applicants. The DfT's 2019 survey of taxi and private hire vehicle licensing authorities shows that all licensing authorities in England and Wales have a requirement that an enhanced DBS check is undertaken at first application or renewal. All individuals applying for or renewing a taxi or private hire vehicle drivers licence licensing authorities should carry out a check of the children and adult Barred Lists in addition to being subject to an enhanced DBS check (in section x61 of the DBS application 'Other Workforce' should be entered in line 1 and 'Taxi Licensing' should be entered at line 2). All licensed	<p>This Council like many has signed up to a conducting DBS checking every 3 years.</p> <p>The increased frequency of every 6 months will require a mandatory change of taxi policy to require all licence holders to sign up to the online checking facility at a cost of £13 per year.</p> <p>There is a lot of work to do for the staff to change our expiry check dates for all our drivers to every 6 months rather than 3 years.</p> <p>It will require licensees to be mandated to use email as primary contact with DBS Services &amp; licensing.</p>

		<p>drivers should also be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months. Drivers that do not subscribe up to the Update Service should still be subject to a check every six months.</p>	<p>Conditions can be applied to Private hire drivers licence but not Hackney drivers licences in relation to the online service.</p> <p>It is also recommended that administrative Fee is applied (TBA) in addition to the cost of the DBS application (£40) if any manual enhanced check needs to be carried out because the applicant failed to register.</p> <p>This degree of checking is likely to impact hugely on our resources</p> <p>This fee will be included in the fee reports for 2021/22</p> <p><b><u>This requires incorporation into the Policy</u></b></p> <p><b><u>Amendments made at pages 6, 8, 11, 12 &amp; Appendix 9, page 78</u></b></p>
14	Safeguarding awareness	<p>All licensing authorities should provide safeguarding advice and guidance to the trade and should require taxi and private hire vehicle drivers to undertake safeguarding training. This is often produced in conjunction with the police and other agencies. These programmes have been developed to help drivers and operators:</p> <ul style="list-style-type: none"> <li>• provide a safe and suitable service to vulnerable passengers of all ages;</li> <li>• recognise what makes a person vulnerable; and</li> <li>• understand how to respond, including how to report safeguarding concerns and where to get advice.</li> </ul>	<p>This Council like many has required all driver applicants to undergo Safeguarding awareness as an existing policy requirement and currently is part of the knowledge test.</p> <p>We have been exploring with our partners (Sevenoaks &amp; Tunbridge Wells) to introduce a more robust safeguarding and disability awareness test.</p> <p>We hope to introduce the new test to our applicants as soon as is reasonable. The cost of this test is likely to be an additional cost of £66 to all new and renewal drivers. This fee</p>

			<p>will be included in the fee reports for 2021/22</p> <p><b>Included in Policy at pages 8,, 12 &amp; 13</b></p>
15	Language proficiency	<p>lack of language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others. A licensing authority's test of a driver's proficiency should cover both oral and written English language skills to achieve the objectives stated above.</p>	<p>This Council believes that the current knowledge test that all applicants must pass adequately tests language proficiency. Applicants are unable to pass the test without a good grasp of written and spoken English.</p>
16	Vehicle Licensing/Operators	<p>It is important that licensing authorities are assured that those granted a vehicle licence also pose no threat to the public and have no links to serious criminal activity. Although vehicle proprietors may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the licensing regime. Criminality checks for vehicle proprietors Enhanced DBS and barred list checks are not available for vehicle licensing. Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually. Criminality checks for private hire vehicle operators Enhanced DBS and barred list checks are not available for private hire vehicle operator licensing. Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually. Licensing authorities should, as a condition of granting an operator licence, require a register of all</p>	<p>This Council like many has signed up to a conducting DBS checking. Most Operators are themselves licensed as drivers and have undergone enhanced checking. On the rare occasion an Operators licence is applied for where the applicant is not a driver a basic DBS checks is undertaken for the specified for a 1,3 or 5 year period.</p> <p>As at 13. This degree of checking is likely to impact hugely on our resources</p> <p><b><u>This requires incorporation into the Policy.</u></b></p> <p><b><u>DBS</u></b>  <b>Included in Policy at page 22 and Appendix 7, page 67</b></p> <p><b><u>Booking and dispatch Staff</u></b></p>

		staff that will take bookings or dispatch vehicles is kept.	<b><u>Included in Policy at pages 21- 22 &amp; 23 and Appendix 7, page 67</u></b>
17	In-vehicle visual and audio recording-CCTV	<p>The Department's view is that CCTV can provide additional deterrence to prevent this and investigative value when it does. The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:</p> <ul style="list-style-type: none"> <li>• deterring and preventing the occurrence of crime.</li> <li>• reducing the fear of crime.</li> <li>• assisting the police in investigating incidents of crime.</li> <li>• assisting insurance companies in investigating motor vehicle accidents. All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.</li> </ul>	<p>This Council has been awaiting clearer national guidance on CCTV.</p> <p>It has not made installation of audio and CCTV mandatory; there has been no formal reporting or investigation by police for incidents within licensed vehicles.</p> <p>Costs are met by the vehicle owner and costs are prohibitive at a minimum of £500 per CCTV unit.</p> <p>Mandatory requirement places the Data responsibilities on the Council.</p> <p><b>This requires further review with the licence holders and need to consult if we are to make it a mandatory requirement.</b></p> <p><b>There has been some expansion to this section of the policy at page 20.</b></p>
18	Enforcing the Licensing regime	Implementing an effective framework for licensing authorities to ensure that as full a range of information made available to suitably trained decision makers that are supported by well-resourced officials is essential to a well-functioning taxi and private hire vehicle sector. These steps will help prevent the licensing of those that are not deemed 'fit and proper' but does not ensure that those already licensed continue to display the behaviours and standards expected.	All Licensing officers have undertaken accredited training provided by the Institute of Licensing and staff resourcing is currently sufficient and kept under review by managers.

19	Joint authorisation of enforcement officers	Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of enforcement powers regardless of which authority within the agreement the officer is employed by and which issued the licence.	Some measure is in place with our partners but not wide ranging through Kent.
20	Setting expectation	Licensing authorities should ensure that drivers are aware of the policies that they must adhere and are properly informed of what is expected of them and the repercussions for failing to do so. Some licensing authorities operate a points-based system, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the licensing committee. This has the benefit of consistency in enforcement and makes better use of the licensing committee's time. Intelligence when considering the renewal of licences and of any additional training that may be required. It is then for the licensing authority to consider if any intelligence indicates a need to suspend or revoke a licence in the interests of public safety.	<p>This Council requires applicants for a licence to satisfy all necessary requirements for reasons of public protection in its policy and officers have frequent contact with licensees.</p> <p>Repeated reports or complaints against a driver can already be identified to lead to proportionate action.</p> <p>See Point 8 – recording &amp; monitoring complaints.</p>

2.8 The assessment outlines measures and steps that have already been taken by this licensing authority that are relevant to the proposed Standards. This council adopted its existing taxi and private hire policy in 2015 and regularly reviews that policy which already includes many of the requirements outlined as being Statutory Standards.

2.9 There are twenty key points as Statutory Standards for all licensing authorities to address with 3 that require adjustment to policy and 1 item needing further investigation.

2.10 It is proposed that Maidstone Borough Council incorporates the items at 7, 13, 16, and 17 into its policy and then consults on the draft policy. This course of action will meet the requirements for an update to be provided to the Department of Transport by 31st January 2021.

- 2.11 Prior to adopting use of the NR3 register, local authorities are required to consult with the trade, and Member approval to commence this consultation is requested. Can Members also consider that, if no adverse comments are received to the implementation of this register, that this matter need not be brought back to the Licensing Committee for approval, and that this can be carried out by the Head of the Housing and Community Services. Should adverse comments be received, then this matter will be brought back to the Licensing Committee for further consideration.

### **CARBON NEUTRAL POLICY FOR LICENSED VEHICLES**

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- 2.12 At the Licensing Committee on 29 March 2018 Members agreed a Taxi low emission standards policy be put out to consultation. The consultation took place between the 3 August and 7 October 2018 and the responses indicated there was a lack of understanding from those in the industry about how the phased policy would work.

What was being suggested was

#### 1st Phase

New Private Hire & Taxi Vehicles Licence Applications  
Euro 4 Petrol (Jan 2006) & Euro 6 Diesel (Sept 2015) or higher standard  
Applies to all applications from  
1st January 2019

#### 2nd Phase

Renewal Private Hire & Taxi Vehicles Licence Applications  
Euro 4 Petrol (Jan 2006) & Euro 6 Diesel (Sept 2015) or higher standard  
Applies to all applications from  
1st January 2021

#### 3rd Phase

New & Renewal Taxi/Private Hire Vehicle Applications  
Full Electric, Range Extended Electric, Hybrid Electric, Plug-in Hybrid &  
Hydrogen  
Applies to all applications from  
1st January 2025

- 2.13 It was felt further consultation was required with the trade and would be best undertaken face to face by way of focus groups or public meetings. Those meeting took place on the 4<sup>th</sup> and 7<sup>th</sup> March 2019.
- 2.14 A further report was brought to Licensing Committee on 28 March.2019 which clarified parts of the draft Emission Standards Policy with trade members and updated Committee on the outcome of the focus group meetings. The main concern of the trade was their business plans were based around the existing Hackney & Private Hire Policy and that the new emission's policy would have a financially detrimental impact on those business plans that could not have been taken into account when the existing vehicles were purchased/leased.
- 2.15 It was agreed at that meeting. to defer the implementation of the draft Emission Standard policy to enable a further 4-week period of public

consultation on the point of implementation as it related to existing licensed vehicles.

2.16 However the consultation did not take place because in April 2019 the Council approved a motion recognising global climate and biodiversity emergencies and requested that the Policy & Resources Committee:-

- undertake a short review of MBC governance policies and progress aimed at addressing locally these twin threats and to report on findings.
- consider a target date of 2030 for the whole of the Borough of Maidstone to be carbon neutral.
- consider how the Council can strengthen local protection and enhancement of species, habitats, and ecosystems services under available powers.

Request the Chief Executive write to the Chancellor of the Exchequer stating the concern of the Council with respect to the above, the likely national impact on the economy and on the wellbeing of citizens, and requesting government funding be made available to implement swift appropriate actions in response.

This exercise would also include "a review of the current provision of electric charging points throughout the Borough and bring forward an ambitious plan to make Maidstone Borough the friendliest place in the country for driving electric or hybrid vehicles."

2.17 The intention for the Borough to be carbon neutral by 2030 effectively made the Low Emissions Policy redundant. It was decided to put the policy to one side and revisit when the outcome of the Review was known.

2.18 From Jan-March 2020 we worked with the Energy Saving Trust to determine how to reduce carbon emissions from taxis. They surveyed the trade and determined that over 60% had a driveway or garage and so would probably choose to charge their vehicle at home. Currently electric vehicles are more expensive to buy and cheaper to run, much cheaper if charged at home. The complete findings can be found at Appendix 2.

2.19 On 21 October 2020, the Policy and Resources Committee approved an action plan to address climate change and biodiversity. The plan includes the target of a carbon neutral borough and to achieve this we must reduce carbon emissions from every source, including transport. It has set an action at 1.9 to Draft a new licensing policy to reduce number of taxis using fossil fuel by more than 90% by 2030 and by 100% by 2036. Further details can be found at <https://meetings.maidstone.gov.uk/documents/s73033/Appendix%202%20Biodiversity%20and%20Climate%20Change%20Action%20Plan.pdf>

2.20 It has also been agreed that up to £156K will be used to install rapid charging points for electric taxis and private hire vehicles.

2.21 Given these actions it enables drivers to continue to use their existing vehicles for the normal time span currently allowed for in our policy (Hackneys 15 years and Private Hire vehicle 6 years). It is recommended

that when any petrol or diesel vehicle comes to the end of its licensable life they are be replaced as follows:

- **Private Hire:** Battery Electric Vehicle (BEV)
- **Hackney Carriage:** Battery Electric Vehicle (BEV) or Range Extender Electric Vehicle (E-REV or REEV). These amendments can be found at pages 21, 34 & 49. Amendment to vehicle specification Appendices to reflect electric vehicles will be made at a later date

2.22 The EST modelled the number of rapid EV charging points needed based on the normal turnover of vehicles, with new licensing policy requiring new vehicles being electric from mid-late 2021,

3 by 2021,  
16 by 2025  
21 by 2027  
23 by 2030 and  
25 by 2036

The biodiversity and climate change action plan recognised the advice from the EST regarding the number of rapid charging points that would be needed and an agreement to ensure sufficient charging point provision. Amendment at page 21.

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### **3. AVAILABLE OPTIONS**

3.1 An alternative option would be to continue to rely on the current Hackney Carriage and Private Hire Licensing Policy; however this does not incorporate recent changes in Legislation and the latest National Standards for Taxi and Private Hire Vehicle Passengers or the matters required by the climate change and biodiversity action plan.

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 The proposed policy aims to improve upon the current policy that Maidstone Borough Council has in operation.

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### **5. RISK**

5.1 Failure to review and adopt a revised hackney carriage and private hire vehicle policy to reflect the statutory taxi and private hire vehicle standards could lead to challenge. There is a requirement provide an update to the Department of Transport by the end of January 2021. They it expect these recommendations to be implemented unless there is a compelling local reason for not doing so.

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## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Any comments received will be included in a further report and brought before Members for consideration at the Licensing Committee in 2021.

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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Should Members approve the draft Policy at Appendix 1 for consultation, it is proposed this will commence within 10 working days for the period specified by Committee It will be made available via the Council's consultation portal, the Council webpages and various emails.

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## **8. REPORT APPENDICES**

- 8.1 Draft Taxi and Private Hire Licensing Policy 2021-2026.  
8.2 Statutory taxi and private hire vehicle standards.  
8.3

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## **9. BACKGROUND PAPERS**

None