



Report to Policy Committee

Author/Lead Officer of Report: Craig Harper,
Licensing Strategy and Policy Officer

Report of: Executive Director Operational Services
Report to: Waste and Street Scene Policy Committee
Date of Decision: 21st June 2023
Subject: Hackney Carriage Vehicle Licence Policy

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given?	Ref:			
Has appropriate consultation taken place?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below.				

Purpose of Report:

This Report is seeking approval of an amendment to a technical element of the Hackney Carriage Vehicle Licence Policy, specifically part 9 – Hackney Carriage Vehicle Specification.

This will provide clearer information and guidance for applicants on:

- applications
- decision-making
- enforcement

Recommendations

That the Waste and Street Scene Policy Committee:

- a) Approve the proposed amendment to the Hackney Carriage Vehicle Specification at Appendix A to this report to come into force with immediate effect.

Background Papers:

There are no background papers associated with this report.

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: James Lyon
	Legal: Sarah Bennett
	Equalities & Consultation: Louise Nunn/Ed Sexton
	Climate: Jessica Rick and Laura Chippendale
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>
2	SLB member who approved submission:
	Ajman Ali
3	Committee Chair consulted:
	Councillor Joe Otten
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	Lead Officer Name: Craig Harper
	Job Title: Licensing Strategy and Policy Officer
Date: 21 st June 2023	

1. PROPOSAL

- 1.1 The Council, as licensing authority, is responsible for the regulation of hackney carriage vehicles licensed in the district of Sheffield.
- 1.2 Primary legislation regulates the industry, namely the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- 1.3 The Waste and Street Scene Committee approved the Hackney Carriage Vehicle Licence Policy on 15th February 2023, which was subsequently implemented on 1st March 2023. This policy sets the standard for hackney carriage vehicles in Sheffield and, for the first time, allowed the use of rear-loading hackney carriage vehicles. A copy of the full policy, as implemented on 1st March 2023, can be found at [Hackney Carriage Vehicle Policy 0.pdf \(sheffield.gov.uk\)](https://www.sheffield.gov.uk/Hackney%20Carriage%20Vehicle%20Policy%200.pdf)
- 1.4 The Waste and Street Scene Committee subsequently approved changes to technical elements of the policy on 22nd March 2023 as a result of necessary changes in order to allow a greater choice of rear-loading vehicles to be licensed.
- 1.5 This report seeks the approval of a further technical amendment to the Hackney Carriage Vehicle Licence Policy, specifically the Hackney Carriage Vehicle Specification in relation to rear-loading vehicles.
- 1.6 The proposed amendment has been made to the following part of the Hackney Carriage Vehicle Specification:
 - Part 8.0 – Passenger Compartment
- 1.7 Details of the proposed amendments can be seen with tracked changes at Appendix A; a copy without tracked changes (for ease of reading) can be found at Appendix B. The amendments relate to the provision of grab handles, which we now understand are not industry standard for rear-loading vehicles.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The amendments are designed to:
 - Provide individuals with a clearer, consistent basis for
 - Licensing Authority Officers in processing applications
 - Applicants when making an application
 - Provide a clearer, consistent basis for determining licence applications:
 - Allowing structured and evidenced-based decision making for Officers and Councillors
 - Achieve compliance with legislative, statutory, and local standards:

- Supporting wider strategies and initiatives specific to vehicle licensing

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 A number of recent applications and subsequent compliance test failures has revealed that a specific aspect of the Specification inadvertently prevented some rear-loading vehicles from being ordinarily licensed as hackney carriage vehicles.
- 3.2 Following this unforeseen issue, the Licensing Authority has made an amendment to the Hackney Carriage Vehicle Specification. This will enable a greater choice of rear-loading vehicles to be ordinarily licensed as hackney carriage vehicles within the parameters of the policy.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

- 4.1 An Equality Impact Assessment was undertaken as part of the policy approval. The proposed amendments do not pose any additional equality implications.

4.2 Financial and Commercial Implications

- 4.2 Financial and Commercial Implications were considered as part of the policy approval. The proposed amendments do not pose any additional financial or commercial implications.

4.3 Legal Implications

- 4.3.1 S177 Policing and Crime Act 2017 states any public authority which has licensing functions under taxi and private hire vehicle legislation must have regard to any guidance issued under this section. The guidance issued is the Statutory Taxi & Private Hire Vehicle Standards issued in 2020. Therefore, as setting this policy will impact how the Council exercises those functions in setting this policy regard must be had to the statutory guidance.
- 4.3.2 Although the Council is not required to have a policy it is a clear recommendation of the statutory guidance that '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'. The statutory guidance requires when formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public.
- 4.3.3 The Waste and Street Scene approved the Hackney Carriage Vehicle Licence Policy on 15th February 2023, with subsequent changes approved 22nd March to address issues identified in the original specification regarding rear-loading vehicles. This further amendment seeks to address subsequent issues identified in recent applications and subsequent compliance failures.

4.4 Climate Implications

4.4 There are no climate implications associated with the policy amendments proposed in this report.

4.5 Other Implications

4.5.1 There are no other implications as a result of implementing the proposed amendments to the policy.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 There are no alternative options under consideration.

6. REASONS FOR RECOMMENDATIONS

6.1 It is recommended that Members approve the amendments to the Hackney Carriage Vehicle Specification in order to allow the licensing of rear-loading vehicles as intended.

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