

# **Report to Licensing Committee**

**Date of meeting:** 26<sup>th</sup> March 2024

**Subject:** Levelling Up White Paper

**Officer contact for further information:**

David King Licensing Manager, 01992564034

**Committee Secretary:**

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**Recommendations:** For Information

## **Background**

Governments Levelling Up white paper contains a proposal to explore the transferring control of taxi and private hire licensing to combined and upper-tier authorities. On page 179, the white paper states:

*The UK Government will also explore transferring control of taxi and private hire vehicle licensing to both combined authorities and upper-tier authorities. Taxis and private hire vehicles are a key part of local transport systems, so this would allow Local Transport Authorities (LTAs) to fully integrate these modes into their Local Transport Plans.*

This follows up on the recommendation by the Task and Finish Group report that the Government should emulate the model of licensing which currently exists in London (where taxi/PHV licensing is managed by Transport for London) in large urban areas as well as consider the consolidation of non-metropolitan licensing areas.

The report states:

*While the legislation relating to taxis/PHVs is extensive, it is mainly concentrated in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. Within London, taxis and PHVs are licensed under the Metropolitan Public Carriage Act 1869 and London Cab Order 1934. This legislation provides a broad framework for the licensing of drivers, vehicles and operators, but the detail of how this is done, including standards and conditions, is the responsibility of individual district and unitary councils.*

*This causes issues including enforcement officers being unable to take action against drivers and vehicles licensed outside their areas; congestion and disruption to local residents where certain areas attract large numbers of drivers; and frustration about an uneven playing field, with drivers licensed according to different standards in different areas.*

The report acknowledges that whilst there have been positive developments, including the Taxi and Private Hire Statutory Standards, Department for Transport best practice guidance and the introduction of the national register of licence revocations and refusals (NR3) that provides a mechanism for licensing authorities to record and share details of where a taxi or PHV drivers' licence has previously been refused or revoked. The LGA and others still believe that overall reform is needed to update taxi/PHV legislation and make it fit for the 21st century.

The LGA and others have been lobbying Government to introduce a comprehensive Taxi and PHV Reform Bill that covers the full range of safeguarding, market and enforcement issues that need addressing.



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District Council**

However, the proposed consultation set out in the Levelling Up White Paper indicates that legislative reform would inevitably consider fundamental changes, including to current licensing boundaries, which may not be welcomed by licensing authorities.

As a general principle, the LGA does not comment on proposals to remove responsibilities from one part of local government and switch them to another, given the likely different views of different LGA members and they are expected to take the same approach in relation to any consultation on the future of taxi/PHV licensing.

However, the LGA have met with the DfT and advised that there are some broad principles that should be considered, including:

- A major reform to taxi/PHV licensing as outlined in the levelling up white paper could not be considered in isolation: it must be part of a full and holistic look at all the changes required in taxi/PHV licensing, with any changes forming part of the comprehensive taxi and PHV reform Bill that the LGA has long called for.
- Taxi/PHV licensing does not happen in isolation – it is part of a much wider set of licensing authority responsibilities and therefore any possible changes should also consider the implications for other regimes such as alcohol and entertainment and gambling licensing.

The proposals in the Levelling Up White Paper apply to England only. The Welsh government is progressing its own reform proposals for taxi/PHV licensing in Wales.

In 2024 The Department for Transport (DfT) are expected to engage with Councils and the Taxi and Private Hire Sector on this proposal and the LGA will continue to engage with the DfT as they develop their plans for consultation.

It is hoped that consultation will include more details on how the proposal will work in practice, to allow an informed and meaningful response.

Once I have further information, I will update Members so we can consider our response to the proposal.