



Licensing and Regulatory Committee	Thursday, 19 June 2025	Matter for Information and Decision
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Report Title: **Hackney Carriage and Private Hire Policy Review**

Report Author(s): **Jon Wells (Senior Strategic Development Manager)**

Purpose of Report:	The report is for Members to consider the guidance issued by the Institute of Licensing (IOL) regarding the suitability of applicants and licensees in the hackney and private hire trades to ensure our Hackney Carriage and Private Hire Policy (the Policy) is up to date and reflects the latest guidance and best practice and to review our Penalty Points Scheme.
Report Summary:	The IOL and its partners encourage the adoption of the guidance as a means of standardising the approach to the grant of licences across the country to ensure consistency and transparency in decision-making. The report proposes that we update our Policy to incorporate the latest guidance from the IOL. It is also considered appropriate at this time for the Council to review and update our penalty points scheme.
Recommendation(s):	A. That the Institute of Licensing’s (IOL) guidance entitled ‘Guidance on determining the suitability of applicants and licensees in the hackney carriage and private hire industry’ (2024) be adopted; B. The Legal and Democratic Services Manager / Monitoring Officer be given delegated authority, in consultation with the Chair of the Committee, to review the Council’s Hackney Carriage and Private Hire Licensing Policy and the IOL guidance to ensure there is a consistent approach to that advocated in the Guidance and make any changes necessary; and C. That the penalty points scheme provided at Appendix 1 of the Policy be replaced with a revised scheme provided in Appendix 2 of this report.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Colleen Warren (Chief Finance Officer / S151 Officer) (0116) 257 2759 colleen.warren@oadby-wigston.gov.uk Jon Wells (Senior Strategic Development Manager) (0116) 257 2692 jon.wells@oadby-wigston.gov.uk
Strategic Objectives:	Our Council (SO1) Our Communities (SO2) Our Partners (SO5)
Vision and Values:	"Our Borough - The Place To Be" (Vision) Customer & Community Focused (V1) Proud of Everything We Do (V2) Collaborative & Creative (V3)

Report Implications:-	
Legal:	The adoption of the national guidance would promote consistency and transparency in the decision-making process.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6) Economy / Regeneration (CR9)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	<ul style="list-style-type: none"> • Licensing and Regulatory Committee, 12 July 2018, Item 8, Adoption of Institute of Licensing "Fit and Proper" Criteria • Licensing and Regulatory Committee, 7 December 2023, Item 9, Hackney Carriage and Private Hire Policy Review
Appendices:	<ol style="list-style-type: none"> 1. Institute of Licensing Suitability Guidance (2024) 2. Penalty Points Scheme (2025)

1. Background

- 1.1 In November 2024, the Institute of Licensing (IOL) produced updated guidance which can be found at **Appendix 1** of this report. This has been produced in conjunction with the Local Government Association (LGA), Lawyers in Local Government (LLG) and the National Association of Licensing and Enforcement Officers (NALEO) following widespread consultation.
- 1.2 The Guidance has been produced to assist licensing authorities in considering their own licensing policies on determining the suitability of applicants and licence holders for taxi and private hire licensing. It has been successfully cited in courts where it has been so incorporated by authorities. The latest version has reviewed each section of the original 2018 guidance (see background papers), with particular focus on the specific areas most commonly mentioned in the consultation responses, including violence, road traffic offences and behaviours. Other changes relate to guidance on determination where some categories have been expanded. For example, 'exploitation' now includes 'criminal harassment', 'offences involving violence' includes fear of violence and 'sex and indecency offences' includes a reference to the 'Sex Offenders Register' and 'barred' lists. Additional categories have been included: 'alcohol misuse or dependency', in addition to 'drugs misuse' (which now includes 'dependency'), and a further category of 'discrimination'. There is also a

section on behaviours which looks at non-criminal behaviours which would be a potential cause for concern.

- 1.3 The Guidance is intended to help local authorities achieve greater consistency so that applicants and the driver and operator trade are less able to 'shop around' between authorities. The Council aims to provide a well-managed efficient, effective and fair service based on identified customer needs and consideration of this issue will enhance this.

2. Matters for Consideration

- 2.1 As the Committee is aware, the Council has a comprehensive Policy for the Licensing of Hackney Carriage Drivers and Vehicles Private Hire Operators, Drivers and Vehicles. Having reviewed these against the Guidance, they mirror its intent on the majority of issues.
- 2.2 The importance of a consistent approach with other authorities is recognised and it is proposed that the Committee adopt the Guidance and authorise the Legal and Democratic Services Manager / Monitoring Officer to review the Council's Hackney Carriage and Private Hire Licensing Policy 2023 along with the IOL guidance to ensure there is a consistent approach to that advocated in the guidance. Any revisions required can then in consultation with the Chair of the Licensing and Regulatory Committee be incorporated within the Policy for future use.
- 2.3 While preparing this report it is also considered to be an appropriate time to review our Penalty Points Scheme which has remain unchanged since 2018 since some offences are not listed and others warrant a higher penalty. This Penalty Point Scheme is used by the Council to deal with minor offences, breaches of licence conditions or unacceptable behaviour committed by Private Hire Operators, Hackney Carriage/Private Hire Drivers or Proprietors of Licensed Vehicles. The current version can be found at **Appendix 1** (page 101) of the current 2023 Policy which is available through the link provided in the background papers.