

Licensing Committee Report

Ward(s) affected: All

Report of the Licensing Team Leader

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Taxi and Private Hire Licensing Policy – Card Payments

Executive Summary

This report details proposed changes to the Taxi and Private Hire Licensing Policy to help customers access the taxi service and prevent crime through the introduction of a requirement that all hackney carriages have the facility to accept payments by credit/debit card from 1 April 2019.

The Lead Member has delegation to approve the Consultation.

Recommendation to Licensing Committee

That the Licensing Committee notes the draft changes to the taxi and private hire taxi policy which will be subject to for public consultation over a 6 week period.

Reason for Recommendation:

To update the Committee on the intended changes to the taxi and private hire policy.

1. Purpose of Report

1.1 The report informs the Committee of the background to the proposed amendments to the Taxi and Private Hire Policy 2015-2020.

1.2 It asks the Committee to note the proposed changes to the policy.

2. Strategic Priorities

2.1 The taxi and private hire licensing policy will contribute to our fundamental themes as follows:

- **Our Society** - believing that every person matters and concentrating on the needs of the less advantaged
- **Our Economy** – supporting business, growth and employment

3. Background

- 3.1 The current Taxi and Private Hire Policy 2015-2020 adopted on the 9 December 2015 introduced positive changes to protect public safety by introducing livery for taxis, door signs for private hire vehicles and the requirement for drivers to complete the BTEC Level 2 Certificate in the Introduction to the Role of the Professional Taxi and Private Hire Driver (QCF).
- 3.2 Since the introduction of the policy, the licensed taxi trade has faced a considerable increase in competition from mobile phone application based private hire operators, where the transaction is completed using customer's pre-registered credit/debit card details making payment options for customers more convenient.
- 3.3 Additionally, taxi drivers are often vulnerable to crime through disputes about payment and through carrying amounts of cash.

4.0 Proposed changes

- 4.1 It is proposed to introduce an amendment to the hackney carriage vehicle licence requirements to require that all taxis have the facility to accept payments by credit and debit card by 1 April 2019.
- 4.2 It is recommended that the device, as a minimum specification, accepts Visa and Mastercard credit and debit cards, accepts contactless payments and provides a receipt.
- 4.3 Such a change will make travelling by taxis easier and a more attractive option to customers. Similarly, this change will also improve safety for drivers. The deadline of 1 April 2019 also allows a reasonable implementation period for proprietors.
- 4.4 Currently, a number of proprietors do accept card payments, however this is by no means universal. The mandating of this requirement is an increasing approach by licensing authorities, including London taxis. The acceptance of card and contactless payments was the subject of a Transport for London (TfL) consultation in 2016 that found 86 per cent of respondents backed card acceptance, with 68 per cent agreeing that passengers should also be able to pay using contactless payments. The Council would seek to advise the public that this facility is available in Guildford taxis.
- 4.5 Any costs of providing card payment terminals could be recovered by the proprietor through adding this as a running cost to the hackney carriage fare calculator.

5. Consultation

- 5.1 Consultation is critical to ensure any changes to the Taxi and Private Hire Licensing Policy are clear and transparent for licence holders and the travelling public.
- 5.2 We will follow our consultation standards over a 6 week period to ensure we consult with all interested consultees by:
- Writing to or emailing those who are current hackney carriage licence holders
 - Publicising the Policy changes on the Council's website
 - Using social media to inform the public of the consultation and directing them to the website.
- 5.4 We will then analyse the comments, prepare any changes considered appropriate to the Policy for final approval and present a further report to the Licensing Committee on 17 January 2018 for recommendation to Full Council.

6. Equality and Diversity Implications

- 6.1 There are no equality and diversity implications in consulting on the proposed changes to the policy.

7. Financial Implications

- 7.1 The consultation exercise can be managed from the current Licensing budget.
- 7.2 Initial consultation with the trade and suppliers estimates that there would be a cost of about £500 per annum to provide a suitable card payment device. Some suppliers have different purchasing options available to suit the circumstances of proprietors, with some taking a percentage (typically about 1%) of the transaction fee. As such, on a typical £10 fare, a fee of about 10p would be taken by the device provider.
- 7.3 The cost of providing a card payment device could be recovered by the proprietor through recompensing this as a cost in the approved taxi fare calculator.

8. Legal Implications

- 8.1 There is no statutory requirement to have a taxi and private hire licensing policy; however, it is good practice to do so. A policy assists with consistent decision-making; however each case must be considered on its own merits with the decision maker being prepared to make exceptions to the policy in appropriate circumstances.
- 8.2 In relation to taxi and private hire licensing, there are specific powers contained in the Town Police Clauses Act 1847, Transport Act 1985 and Local Government (Miscellaneous Provisions) Act 1976. These allow the Council to specify the requirements that vehicles and drivers must meet in order to be licensed, and to

refuse a licence to drivers if we are not satisfied that the drivers are fit and proper persons to hold a licence. They also allow conditions to be attached to licences (with the exception of hackney carriage driver's licences).

9. Human Resource Implications

9.1 There are no human resource implications arising from these proposals.

10. Summary of Options

10.1 The Licensing Committee note the report.

10.2 Licensing Committee will receive a report on the findings of the consultation on the 17 January 2018.

11. Conclusion

11.1 Approving consultation on this change to the Taxi and Private Hire Licensing Policy will help ensure travelling by taxis is easier and a more attractive option to customers. Similarly, this change will also improve safety for drivers.

12. Background Papers

12.1 [Taxi and Private Hire Licensing Policy 2015-2020](#)

13. Appendices

None