



Tuesday 17 June 2025

ENV 907

Report of Councillor Philip Knowles,  
Cabinet Member for Corporate  
Governance and Licensing

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 & TOWN POLICE CLAUSES ACT 1847

### Report Author

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### Purpose of Report

To provide an update following the implementation of the Hackney Carriage and Private Hire Licensing Policy as requested by the Licensing Committee on 20 December 2024.

### Recommendations

#### That the Licensing Committee:

1. Notes the report and the impact of the implementation of the Council's Hackney Carriage and Private Hire Licensing Policy.
2. Considers any amendments to the existing Policy it may wish to recommend to Full Council for approval.

Decision Information	
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Effective Council Sustainable South Kesteven Enabling Economic Opportunity
Which wards are impacted?	All wards

## 1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance and Procurement***

- 1.1 There are no specific financial implications associated with this report, however, in the event of the applicant making an appeal against a decision which was then subsequently upheld the council may incur additional legal costs.

### ***Legal and Governance***

- 1.2 There are no significant legal or governance implications arising from this report which are not already referenced in the body of the report. Any amendments to the Council's Hackney Carriage and Private Hire Licensing Policy require approval by Full Council.

### ***Community Safety***

- 1.3 Community Safety implications will be considered in accordance with Section 17 of the Crime and Disorder Act 1998.

## 2. Background to the Report

- 2.1 The Department for Transport (DfT) issued updated Taxi and Private Hire Guidance in November 2023. The updated Hackney Carriage and Private Hire Licensing Policy ("the new policy") was reviewed and approved by Full Council on 23 May 2024.
- 2.2 Notification was issued to all licence holders outlining the main changes to the policy prior to its scheduled implementation date. The following six points reflect the main feedback received at that time:

- 1) The overall cost of both the new requirements and renewals could lead to drivers obtaining licenses elsewhere and result in competitive disadvantage.
- 2) The new testing requirements should only apply to new applicants and not existing drivers in relation to renewals.
- 3) A question as to why existing drivers, without any complaints about their driving, should be required to undertake a driver proficiency test when the DVLA do not require the same for a standard driving licence.
- 4) A question as to why someone who has lived in England all their life needs to demonstrate they have a qualification or undertake an English test.
- 5) Requests for compensation for those drivers who have invested in vehicles to match the previous age criteria associated with vehicles.
- 6) The environmental impact and requirement for daily walkaround checks.

2.3 A response to these points was considered at the meeting of the Licensing Committee on Friday 28 June 2024 and three drivers attended to outline their concerns.

2.4 A further update was provided to Committee on 20 December 2024 due to continued concerns expressed by some drivers regarding fees and a driver approaching the media about the English test. It was agreed by Committee that a further update would be provided outlining driver/vehicle numbers in June 2025.

2.5 Recently a further concern has been raised by some drivers regarding cross-border licensing and the potential impact on both business and potentially cheaper/less regulated or checks required by other Licensing Authorities, as there is no national taxi policy or charging regime.

### **3. Key Considerations**

3.1 Below is a table showing the yearly averages for the number of licensed Drivers, Vehicles and Operators within the South Kesteven. For information, the 2025 average (April and May) has been included:

Drivers		Vehicles		Operators	
2021/2022	356	2021/2022	308	2021/2022	22
2022/2023	361		314	2022/2023	22
2023/2024	366		323	2023/2024	24
2024/2025	367		321	2024/2025	31
April/May 2025	352		316	April/May 2025	33

3.2 As outlined in the December 2024 report, the Licensing Team do not have discretion to deviate from the approved Policy. Whilst a Hackney Carriage and Private Hire Licensing Policy may make definite statements, known as 'bright lines' it can never fetter a Licensing Committees discretion when making an individual determination. Licensing authorities can depart from their own policy where they consider there are exceptional circumstances which warrant the departure. Since the current policy was implemented, there have been referrals to Licensing Committee where drivers have not met the updated policy requirements:

- 2 x Wheelchair accessible vehicles not meeting the Euro 6 Standard

- 1 x Driver not wishing to take the driver proficiency test
- 1 x Driver failed the English proficiency test due to a medical impairment

3.3 Following the report in December 2024 below is an update taking into account the new policy requirements from 1 August 2024 on renewing drivers:

- 2 x renewal drivers have failed the driver proficiency test (both have not renewed their licence)
- 1 x renewal driver has failed the English language test (passing on the 2<sup>nd</sup> attempt) of the 6 undertaken since January 2025
- 35 x drivers renewed their badge
- 16 x drivers have not renewed - we do not require drivers to inform us as to why they choose not to renew
- 7 x new drivers applied and issued with licences
- Net loss of 9 drivers between December 2024 – May 2025

3.4 With regard to this issue of cross-border licensing there are no restrictions within taxi legislation or regulations outlining where a private hire journey or pre-booked hackney carriage journey starts or finishes. As long as the vehicle, driver and operator (if applicable) are licensed by the same licensing authority. It is acknowledged at Governmental levels that the Deregulation Act 2015 potentially exacerbated this issue, by creating a loophole within England and Wales allowing operators to subcontract booking to operators licensed in a different district (previously this had to be within the same licensing authority area). Whilst there is current lobbying of Government about the impacts of this, at this time SKDC, as the licensing authority, are unable to stop this practice.

3.5 Whilst a driver may choose to cross border licence, they need to weigh up the operating restrictions and potential impact on their business that come with this. Wolverhampton City Council Taxi licensing is often referred as a comparator to SKDC's fees however cheapness can bring potential drawbacks:

- To work within SKDC an out of area licensed taxis must work on a prebooked basis. If they are licensed as a private hire vehicle, they would need to use an operator licensed by wherever the driver and vehicle badge was issued. They licence elsewhere as a hackney carriage however they cannot operate as one outside the area they are licensed ie they cannot use our ranks or ply for trade within South Kesteven.
- Service provided - looking at Wolverhampton's website (as of 28 May 2025), their guidance on applications is:

New private hire driver licence applications:

16/01/2025

New private hire vehicle licence applications:

17/02/2025



Please do not contact the Council about your application if you applied after the above dates. Your application is in the queue and will be dealt with as soon as possible. Thank you for your patience.

- Whilst there are those, primarily from within the trade, who disagree with how things have changed over the years, our service provision is not subject to such delays even with a much smaller team.
- If an application has been submitted, we are contactable at any stage of the process unlike that stated in the message above.

3.6 As part of annual fee setting, the Council reviews each category of licence to ensure that the hourly rate and time spent per activity is reflective of the above charging elements. For 2025/2026 the decision was taken to retain the current fees. The proposed fees were approved by Council in line with procedure.

#### **4. Other Options Considered**

4.1 The Licensing Committee may decide to take on board the feedback but agree to leave the Policy as currently implemented.

4.2 The Licensing Committee may wish to request that the Policy be reviewed again after an agreed period of time to understand whether the changes have had any further impact on new and/or renewal applications.

4.3 The Licensing Committee may wish to provide recommendations to Full Council to amend all or some of the changes implemented.

#### **5. Reasons for the Recommendations**

5.1 The policy supports the Council in fulfilling its statutory duties associated with the licensing of hackney carriage and private hire trades and takes into account the latest government guidance from the DfT.

#### **6. Consultation**

6.1 No consultation has taken place.

#### **7. Background Papers**

7.1 [Taxi Policy June 2024.pdf \(southkesteven.gov.uk\)](#)

7.2 [Department for Transport Statutory Taxi and Private Hire Vehicle Standards](#)

7.3 [Taxi and Private Hire Vehicle Licensing Best Practice Guidance](#)

7.4 [Councillor Handbook: Taxi and PHV Licensing](#)

7.5 [Licensing Committee on Friday, 28th June, 2024, 10.00 am | South Kesteven District Council](#)

7.6 [Licensing Committee on Friday, 20 December 2024, 10.00 am | South Kesteven District Council](#)