

REPORT TO: Regulatory Committee

DATE: 2nd September 2020

REPORTING OFFICER: Chief Executive

PORTFOLIO: Resources

SUBJECT: The 'Halton's Open Initiative'

WARDS: Boroughwide

1. PURPOSE OF REPORT

- 1.1 To inform the Committee of the introduction of the 'Halton's Open initiative' and provide rationale for its introduction.
- 1.2 For members to note the report.

2. RECOMMENDED: That the report be noted.

3. SUPPORTING INFORMATION

- 3.1 Members of this Committee have long been aware of the impact of the Deregulation Act 2015 on Licensing Authorities, particularly in small boroughs such as Halton.
- 3.2 This report is based on a similar report given to the Licensing and Environmental Protection Committee of St Helens MBC on 23rd October 2019.
- 3.3 The Council has been fortunate that the majority of the local driving community have remained licensed by this Council rather than seeking to be licensed with another authority (such as those who have less stringent checks or offer cheaper licences).
- 3.4 However, the impact that 'out of town' drivers operating 'cross border' have had on our licensed trade should not be underestimated. As licensed drivers are self-employed it is important that the Council does all that it is able to support their efforts.
- 3.5 Taxi licensing has undergone many changes since the Deregulation Act was introduced and in some instances, undermined public confidence in the safety of licensed travel. This is largely due to vehicles being plated and licensed in other authorities collecting passengers who have made a booking in Halton.
- 3.6 This is confusing for the public who sometimes do not understand what this means for them. The biggest areas of other licensed vehicles working in Halton are from Knowsley and Sefton (and some licensed from as far away as Wolverhampton).

- 3.7 Licensing is a local statutory responsibility assigned to individual licensing authorities which means that the Council has no legal right to check or enforce standards on any of the drivers or vehicles from other authorities who work regularly in this borough. No inter-authority inspection arrangements are in force.
- 3.8 The public can often be confused or even upset when they contact the Council to report issues with drivers and vehicles and are informed that the Council cannot take any action.
- 3.9 The Licensing team refer these complaints on to the Licensing Authority responsible for the driver/vehicle. Unfortunately, the Council cannot follow up these complaints and does not receive feedback.
- 3.10 As previously reported to the Committee, Central Government was in the process of introducing new Statutory Guidance for Taxi Licensing which may have assisted with these issues and offer better protection to the public. They also intend to legislate for some of the more complex areas. Unfortunately the new Statutory Guidance has now been introduced (referred to in a separate item at this Committee meeting) but has again failed to address this problem.
- 3.11 Whether or not such changes are ever introduced, the Council ought to provide as much support as possible to the public to help them understand these issues and to protect the livelihood of the licensed trade in our borough. The Council's licensing function is about protection of the public but outside of the licensing function there is a wider role of creating an economically prosperous Borough as set out in the Council's Sustainable Community Strategy. The initiative could, fortuitously, contribute to this.
- 3.12 The public should be aware that if vehicles are booked via out of town private hire operators (by telephone, 'app' or on-line) the Council has no control over the quality of such vehicle or the driver of such vehicle. Some operators, even though licensed within the Borough, exercise their rights to sub-contract to operators licensed outside the Borough – and again the booking will be carried out by vehicles and drivers not licensed in the Borough. All of this is within the law. The public has the right to use such private hire operators but the public also has the right to make an informed choice before doing so.
- 3.13 Members have committed to high standards for the local licensed community and are justifiably proud of this.
- 3.14 The 'Halton's Open Initiative' has a much wider remit than taxi licensing but that element which is about taxi licensing is the subject of this report.
- 3.15 The Regulatory Committee is only being asked to note this report. This is because of the definition of the functions assigned to the Committee. These are restricted to the power to licence (which includes grant, refusal and suspension with or without conditions) hackney carriage and private hire vehicles, drivers and operators. This is limited to individual applications. Anything beyond this is deemed to be an executive function for the Executive

Board to determine – whether or not involving a policy change. However, in the Council’s Scheme of Delegation matters “associated with” the Committee’s functions are delegated (see delegated power 190) provided that they do not amount to creating new policies or amending existing policies. The proposed initiative is intended to come within this delegated power.

4. THE INITIATIVE

- 4.1 The “Halton’s Open” scheme was devised by the Council to promote all businesses within the local authority area following the Covid-19 outbreak and the importance of shopping local.
- 4.1 It was therefore logical for the taxi trade to be promoted under this scheme and to extend it in order for the following objectives to be met;
- To raise awareness of being ‘Badged in Halton’ - how to book a Halton Licensed driver, impact / or possible consequences of travelling in a non Halton Licensed hackney carriage or private hire vehicle.
 - Generate visual awareness of a Halton Licensed driver through the use of livery on licensed vehicles and create a new visual identity for drivers.
 - To communicate the benefits of ‘Badged in Halton’ to residents and proprietors.
- 4.2 Aside from improving awareness, the main strand of this initiative is to help the public recognise a Halton Licensed Driver and assist them in understanding why this is important.
- 4.3 The initiative was due to start earlier in 2020 but like many other matters has been delayed because of the Coronavirus. It will now start on a launch date to be agreed and will run indefinitely and will see for those who want it Halton licensed vehicles carrying the new ‘Halton’s Open’ badge to be displayed on the bonnet.
- 4.4 Posters have also been commissioned which will be distributed to licensed premises, schools and local business to remind the public why the campaign is important.
- 4.5 A digital pack will be made available to local private hire operators so that they may also promote this initiative through their own advertising.

5. POLICY IMPLICATIONS

- 5.1 This initiative is not a policy matter.

6. FINANCIAL IMPLICATIONS

- 6.1 The initiative is being funded from within existing budgets. There will be no additional charges to the licensed trade.

7. OTHER IMPLICATIONS

7.1 There are no other implications arising out of this report except as stated below.

8. IMPLICATIONS FOR THE COUNCILS PRIORITIES

8.1 Children and Young People in Halton

N/A

8.2 Employment Learning and Skills in Halton

N/A

8.3 A healthy Halton

N/A

8.4 A Safer Halton

It is hoped that greater awareness of the system will contribute to a safer Halton but it is accepted that this cannot be quantified.

8.5 Halton's Urban Renewal

N/A

9. RISK ANALYSIS

N/A

10. EQUALITY AND DIVERSITY ISSUES

N/A

11. LIST OF BACKGROUND PAPERS UNDER SECTION 100D LOCAL GOVERNMENT ACT 1972

This item is based on a report from St. Helens Metropolitan Borough Council as referred to in the report.