

CHILTERN DISTRICT COUNCIL
LICENSING AND REGULATION COMMITTEE 18 OCTOBER 2012

Background Papers, if any, are specified at the end of the Report

**REFORMING THE LAW OF TAXI AND PRIVATE HIRE SERVICES -
CONSULTATION PAPER**

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RECOMMENDATIONS

To consider the draft CDC/SBDC Councils response to the Law Commission consultation and provide additional comments, observations or amendments.

Background

- 1 In July 2011, the Law Commission agreed to undertake a reform project on the law of taxis and private hire vehicles. The project was proposed by the Department for Transport, but when they work on a project, the Law Commission (LC) is independent of the Government.
- 2 The law on taxis and private hire vehicles is fragmented and generally complex. The oldest taxi legislation that still applies dates from 1831 and the regime has been extended, amended and adapted ever since. Private hire vehicle legislation was not introduced until 1976, in response to growth in the unlicensed trade.
- 3 The consultation is split into three main sections:
 - an introduction and outline of key proposed changes;
 - the case for reform and a brief discussion of the main themes and impact assessment (provided as **Appendix 1**); and
 - a full list of our provisional proposals and questions (included as part of the response in **Appendix 2**).

Consultation

- 4 The consultation period will be the Law Commissions main evidence-gathering exercise, and the only opportunity for the public to directly provide their views. After the consultation the LC will analyse responses and reconsider or refine proposals. The aim is to produce a report with final proposals and a draft Bill by November 2013.
- 5 The views expressed in the consultation documents are stated to be 'provisional' and 'to inform the basis of further discussion'. What is proposed is a 'moderate reform programme, which retains much of the

existing structure of regulation, while seeking to improve and simplify it'.

- 6 The submission date for the consultation has been pre-agreed with the Law Commission as the 19th October for Chiltern District Council to allow both South Bucks Licensing Committee and the Chiltern Licensing & Regulation Committee to provide their comments.
- 7 On balance, the proposals appear to be generally helpful to local authorities but stop short of any radical changes or a complete overhaul of the system. It was hoped by both Authorities that the current two tier system would be replaced with a single system, improving administration and removing the distinction between private hire and Hackney carriages that many members of the public find confusing. Although it is appreciated that this would be much more difficult for the Law Commission to accomplish, this is potentially an opportunity missed.
- 8 If the proposed changes were ever introduced, the Councils' own local licensing policies would require modification accordingly.
- 9 The draft response (**Appendix 2**) has been prepared jointly with South Bucks District Council, however if there are any aspects specific to Chiltern that the Committee wish to see these will be added prior to submission.

Background Papers:

Full Consultation Document (253 pages)

http://lawcommission.justice.gov.uk/docs/cp203_taxi-and-private-hire-services.pdf