

Policy and Resources Committee Meeting	
Meeting Date	10 th September 2025
Report Title	Hackney Carriage and Private Hire Licensing Policy 2025 - 2030
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Community Services
Lead Officer	Johanna Thomas, Licensing Team Leader
Classification	Open
Recommendations	1. Members are asked to note the Licensing Committee decision to approve the refreshed Swale Hackney Carriage and Private Hire Licensing policy 2025-2030 and to agree its adoption.

1 Purpose of Report and Executive Summary

- 1.1 To apprise Members of the steps taken in revising the Swale Hackney Carriage and Private Hire Licensing Policy and summarise the amendments recommended to be made as agreed by the Licensing Committee.
- 1.2 A draft Swale Hackney Carriage and Private Hire Licensing Policy 2025-2030 was presented to Licensing Committee at its meeting of 14th July 2025. ([Public Pack](#))[Agenda Document for Licensing Committee, 14/07/2025 19:00](#)
- 1.3 At the Licensing Committee meeting it was resolved that:
 - (1) *That Members considered and agreed the recommendations made in the evaluation grid attached as Appendix III to the report and that officers updated the draft policy document at Appendix I prior to formal approval.*
 - (2) *That following the policy being updated, it be recommended to the Policy and Resources Committee for adoption to commence on 15 September 2025.*
 - (3) *That approval be delegated to the Policy and Communities Manager for any future minor amendments to appendices of the Statement of Hackney Carriage and Private Hire Licensing policy.*
 - (4) *That the biannual tariff be increased in 2026 as per the National Rail Fares increase for 2026 and not be cumulative, and this be updated in the draft policy document at Appendix I prior to formal approval.*
- 1.4 Members are requested to approve the Swale Hackney Carriage and Private Hire Licensing Policy 2025-2030 as attached as **Appendix I** so that it can be published and come into effect on 15th September 2025.

2 Background

- 2.1 The overarching aim of the taxi and private hire licensing regime is to protect the public by ensuring that all drivers, vehicles and operators are licensed and regulated by authorities in accordance with statutory provisions, primarily set out in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 and, where they exist, local policy considerations
- 2.2 The aim of the licensing function is to provide a safe environment for those using licensed vehicles and also for ensuring that drivers are knowledgeable and understand their responsibilities to the travelling public e.g. particularly around safeguarding for vulnerable children and adults. Hackney carriages (taxis) and private hire vehicles, their drivers and their operators also have an important role to play in an integrated transport system. They are able to provide services in situations where public transport is either not available, outside “normal hours” such as the evening or at weekends, or for those with mobility difficulties.
- 2.3 Although it is not a statutory requirement, the Council has published a hackney Carriage and Private Hire Licensing Policy (approximately) every three years since 2014; taking into account the Best Practice guidance issued by the Department of Transport, the Regulator’s Code, and any other relevant matters
- 2.4 The DfT issued new Best Practice Guidance in November 2023. Because of the implications within the Guidance, it is necessary to bring forward a new edition of the Swale BC Hackney Carriage and Private Hire Licensing Policy which is intended to run from 2025 – 2030.

3 Proposals

- 3.1 This 2025 revised policy seeks to incorporate the recommendations of the 2023 DfT Best Practice Guidance where it is considered appropriate to do so.
- 3.2 A draft policy was presented to Licensing Committee on 11th February 2025 and members agreed to the public consultation that ran for 12 weeks from 26th February to 28th May 2025. The responses to the consultation were evaluated and amendments made to the draft policy where appropriate.
- 3.3 The consultation responses and table of amendments and the amended draft policy were presented to Licensing Committee on 14th July along with a report detailing the main issues raised for the members of that committee to consider.
- 3.4 Members of the Licensing Committee considered the consultation responses and agreed the recommendations made by officers, they recommended the policy to the Policy and Resources Committee for formal approval.

- 3.5 The draft Swale Hackney Carriage and Private Hire Licensing Policy 2025-2030 is attached as **Appendix I**.

4 Alternative Options Considered and Rejected

- 1.1 The Policy and Resources Committee could choose to:
- a) revert to the original taxi policy, however this is not recommended as it does not incorporate any recommendations from the 2023 Department for Transport Guidance; or
 - b) request that licensing officers look at the policy again and return to Licensing Committee with a further draft at a later date.

5 Consultation Undertaken or Proposed

- 5.1 A consultation ran between 26th February to 28th May 2025. Methods of consultation and consultees were agreed by Members at the 11th February 2025 meeting of the Licensing Committee.
- 5.2 Despite the wide-ranging nature of the consultation only 11 (eleven) responses were received in total, 8 (eight) from the taxi trade, 1 (one) from a trade association, 1 (one) from a ward councillor and 1 (one) from Kent County Council Transport . No responses were received from the general public.

6 Implications

Issue	Implications
Corporate Plan	<p>The service is an important regulatory function undertaken to ensure the safety of the travelling public of Swale as well as its licensed drivers.</p> <p>There are links to:</p> <p>Community - To enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience.</p> <p>Economy - Working with our businesses and community organisations to work towards a sustainable economy which delivers for local people.</p> <p>Environment - To provide a cleaner, healthier, more sustainable, and enjoyable environment, and to prepare our borough for the challenges ahead.</p>

	Running the Council - Working within our resources to proactively engage with communities and outside bodies to deliver in a transparent and efficient way.
Financial, Resource and Property	It is the intention that the cost for taxi drivers to complete disability awareness training will be met by the individual drivers. The Hackney Carriage and Private Hire Policy is not envisaged to place any new financial pressures on the Council.
Legal, Statutory and Procurement	There is no legal requirement for a policy, however it is best practice. The Department for Transport's statutory standards make a clear recommendation that licensing authorities should publish a single licensing statement or policy for taxi and private hire vehicle licensing that brings together all their procedures in one place. Rights of appeal are granted to all applicants and licensees who are aggrieved by any licensing decisions. Changes to the table of fares published by the Authority must be made in accordance with the procedure set out in s.65 Local Government (Miscellaneous Provisions) Act 1976. That sets out the notification requirements and the process if unresolved representations are made to any proposed changes.
Crime and Disorder	The licensing role of the Council is important in improving the safety, security and welfare of the Borough's residents, visitors and business community by ensuring an adequate supply of properly licensed taxis as a safe mode of transport for the public, particularly when other public transport is unavailable and ensuring the safety of drivers. A published policy setting out how the council will achieve these aims is seen as an important regulatory tool.
Environment and Climate/Ecological Emergency	The draft policy has considered environmental sustainability with regards to emissions from vehicles and the council's commitment to be carbon neutral by 2045.
Health and Wellbeing	The health of the residents of the borough could be improved by addressing vehicle emissions. Also, by ensuring public safety.
Safeguarding of Children, Young People and Vulnerable Adults	Licensing regimes are largely designed to protect public safety. The DfT Statutory Standards go even further to protect public safety, especially children, young people, and vulnerable adults and these have been incorporated into this policy revision. Air quality is also an important aspect of protecting children and vulnerable adults and therefore imperative that the licensing of vehicles contributes to improving the air quality in the borough.
Risk Management and Health and Safety	Whilst each individual application will be judged on its own merits, a documented policy ensures a transparent and consistent approach to licensing that reduces the opportunity for challenge through the Courts. Challenges to a particular decision are more likely to fail if the Council can demonstrate that it has adhered its published policy and there was no reason to depart from it. Any

	departure will be based on material evidence and will be documented giving clear and compelling reasons for doing so.
Equality and Diversity	This policy includes provisions for licence holders to meet requirements contained in the Equality Act 2010 and The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022. An Equality Impact Assessment will be conducted after the public consultation.
Privacy and Data Protection	All applications processes will be in line with privacy and data protection regulations

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Hackney Carriage and Private Hire Licensing Policy 2025 - 2030

8 Background Papers

All relevant legislation as outlined at paragraph 1.1.2 of the draft Swale BC Hackney Carriage and Private Hire Licensing policy, most particularly The Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976

The DfT Statutory Taxi & Private Hire Vehicle Standards 2020
The DfT Best Practice Guidance 2023