



Taxi Licensing Policy Update – Card Payments

Summary: This report is for the Strategic Director of Community & Place Delivery, to consider the matter of mandatory card payments and the responses to the consultation.

Report Author(s)

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Appendix	Title
A	Consultation responses

Recommendations

- 1.1. That the Strategic director implement the changes to the Taxi Licensing Policy as set out in section 3.3.
2. **Purpose of Report**
 - 2.1. To provide the consultation responses to the decision maker, on the proposed change to the card payments section of our current Taxi Licensing Policy.
3. **Background and Context**
 - 3.1. The consultation was sent to all licence holders, the Councillors and made widely available to the public, the consultation ran from the Tuesday 24th January 2023 and ended at midnight on Friday 24th February 2023. There were 13 responses to the consultation, 7 objecting and 6 in support. These can be found as appendix A.

3.2. The objections widely note the following as issues:

- Signal and reception issues.
 - a) While this can occur, SADC has very good coverage when it comes to phone signal. Even more so in residential and built up areas, the likely drop of points.
- Lack of payment late night, such as runners.
 - a) This is currently a risk for drivers, adding another form of payment makes this less likely than more likely.
- Card Payment fees.
 - a) These are not very high, given the recent increase in fares these fees should be manageable.
- The time limit on getting repaired or replaced within 72 hours.
 - a) Having spoken to drivers whom already have it, this could be an issue. We propose to extend this to 7 days, 3.3 has been updated with this proposed change (45.3.b).

3.3. On Tuesday 17th January 2023 the committee agreed on the below proposal, other than the change to 7 days at 45.3(b). It was agreed that there would be a 4 week consultation, after which the decision would be made by the Strategic Director of Community Place Delivery.

We would remove the current section regarding card payments (section 45 of the policy) and insert the below:

45.1. By <date>, all licensed Hackney Carriages vehicles, must have available at all times, an electronic device that allows contactless or card payments to be made. The driver must ask the passenger if they require a receipt. If the passenger requires a receipt, the driver must provide one which accurately states the time and date of the journey, driver number and fare.

45.2. By <date>, all licensed Private Hire vehicles, must ensure at all times, they can provide a means for passengers to pay for fares by card or as a contactless payment. This can be, but is not limited to, electronic card payment devices or operator websites and apps.

45.3. All payment devices must:

- a) comply with the requirements of the current UK banking industry standards as stipulated by the Financial Conduct Authority (FCA).
- b) be checked regularly and maintained to operational standards, including repairs after any damage. Any damage preventing the device from functioning must be repaired within 7 days. If the device cannot be repaired, it must be replaced in 7 days. Failure to do so will lead to the vehicle licence being suspended, until such a time as a functional device is able to be in use.

- c) meet all requirements and standards as stipulated by the card scheme companies in terms of connections to a host such as GPRS, 3G, 4G, Bluetooth or other connection methods to complete payment transactions.
- d) provide the functionality to protect the confidentiality of critical data (in particular PINs) whilst the card transaction is being processed.
- e) payments through apps are permitted, if a passenger has access to the app via their own phone or device. Drivers must not enter card details into their own phone or device to process a payment.

45.4. Licence holders are reminded, they are legally obliged to comply with the requirements of data protection legislation in respect of all transaction processes, data management and storage. This includes the UK General Data Protection Regulation (GDPR), the Data Protection Act 2018 and any subsequent data protection legislation. You can find out more about your obligations from the Information Commissioner’s Office (ICO). This is relevant when handling personal information such as names, addresses, email addresses and telephone numbers. All such processing must comply with the requirements of data protection legislation. Breaches of data protection legislation may impact on the ability to hold a licence with the Council.

Insert into Appendix H, the penalty point chart for “Breach of policy requirement”, the following:

	Failure to comply with section 45 of the policy	3 - 6 penalty points
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Insert into Appendix F, vehicle requirements, the following:

- All licensed Hackney Carriages vehicles, must have available at all times, an electronic device that allows contactless or card payments to be made. A receipt which accurately states the time and date of the journey, driver number and fare, must be provided if requested by a passenger.
- All licensed Private Hire vehicles, must ensure at all times, they can provide a means for passengers to pay for fares by card or as a contactless payment. This can be, but is not limited to, electronic card payment devices or operator websites and apps.

4. **Alternative Options Considered and Not Recommended**

4.1. The decision could be put back to the committee to consider.

5. **Post-Decision Implementation**

5.1. We will set a 2 month implementation period. Where it states **<date>** in 3.3, this will be 2 months after a decision has been made. Vehicle licence holders will have until this date to have operational card machines.

6. **Implications of Decision**

6.1. **Corporate Priorities and Performance**

6.1.1. Public safety is a core tenant of any local authority, this will ensure that persons are able to pay for a taxi and get home.

6.2. **Policy Implications**

6.2.1. This is a change to the Taxi and Licensing Policy, it will impact upon the trade to whom it applies.

6.3. **Implications on Resources**

6.3.1. This could lead to further enforcement action, taking more officer time.

6.4. **Legal & Constitutional Implications**

6.4.1. There is no perceived legal implications.

6.5. **Community Impact**

6.5.1. This should provide a positive impact upon the community, this will ensure that members of the public are always able to pay.

6.6. **Environmental & Sustainability Implications**

6.6.1. There is no perceived Environmental & Sustainability implication

6.7. **Equality & Diversity Implications**

6.7.1. There should be a positive impact upon those who need taxi services to get around, this should make travel by taxis more accessible for all.

6.8. **Health & Wellbeing Implications**

6.8.1. There is no perceived Health & Wellbeing implication.

6.9. **Risk Management**

6.9.1. There is no perceived Risk Management implication.

7. **Background Papers – Local Government (Access to Information) Act 1985**

Bibliography	Custodian	File Location
Town Police Clauses Act 1847	Daniel Pattenden	Regulatory Services
Local Government (Miscellaneous Provisions) Act 1976	Daniel Pattenden	Regulatory Services.