

LICENSING AND REGULATION COMMITTEE

13 June 2013

REVIEW OF STATEMENT OF LICENSING POLICY WITH RESPECT TO  
HACKNEY AND PRIVATE HIRE VEHICLES, DRIVERS AND PRIVATE HIRE  
OPERATORS

REPORT OF HEAD OF LICENSING

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RECENT REFERENCES:

[LR400](#) - Review of Policy for licensing private hire vehicles – update following consultation – 10 December 2012

[LR396](#) - Review of policy for licensing private hire vehicles – 11 October 2012

[LR371](#) - Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators - Minor Amendments – 10 November 2011

EXECUTIVE SUMMARY:

This report is to review the Statement of licensing policy with respect to hackney and private hire vehicles, drivers and private hire operators.

**RECOMMENDATIONS:**

- 1      That the amended version of the Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators be approved for consultation with the taxi and private hire trade.
- 2      That if changes are made, and no comments are received following consultation, Members delegate to the Head of Licensing power to implement the amended Policy within a reasonable time.
- 3      That in addition to the review of the Policy, Members approve a minor amendment to the scheme of delegation with regard to Hackney Carriage and Private Hire Vehicles, Drivers and Private Hire Operator licences.

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### REVIEW OF STATEMENT OF LICENSING POLICY WITH RESPECT TO HACKNEY AND PRIVATE HIRE VEHICLES, DRIVERS AND PRIVATE HIRE OPERATORS

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#### DETAIL:

##### 1 Introduction

- 1.1 On 25 January 2011, the Licensing and Regulation Committee considered a new Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators ("the Policy"). This Policy came into effect from 1 April 2011.
- 1.2 Since 1 April 2011, the Policy has been updated with minor amendments and a review of the age of private hire vehicles. (See 'Recent References' above).
- 1.3 It is recommended that a review of the Policy should take place every 2 to 3 years.
- 1.4 Licensed hackney carriage and private hire drivers are required to comply with the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847. They are also required to comply with conditions attached to their licences.

##### 2 Proposed amendments to Policy

- 2.1 The amended Policy can be found at Appendix 1 with major amendments shown underlined and deletions struck through.
- 2.2 Whilst there are some significant changes proposed in this review, it has also been a good opportunity to tidy up any typographical errors and re-numbering sections.
- 2.3 The Policy has been reviewed so that it is clear what is expected of a new applicant or current licence holder. It is also a guide for Licensing Officers to assist with consistent decision making. Ultimately each case will be considered on its own merits but the overriding consideration must be the safety of the public.

### 3 Consultation

- 3.1 It is recommended that the draft Statement of Licensing Policy with regards to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators be approved for consultation with the taxi and private hire trade.
- 3.2 The consultation period will take place from 27 June 2013 to 31 July 2013.

### 4 Scheme of Delegation

- 4.1 Members are asked to approve a minor amendment to the Scheme of Delegation Part 3 Section 6 as follows;
- a) Decisions on grant of applications in relation to hackney carriage and private hire vehicles, drivers, and private hire operators; suspension and revocation of such licences.
- 4.2 The reason for the amendment is consolidate and clarify the powers contained in the Local Government (Miscellaneous Provisions) Act 1982 and Town Police Clauses 1847 with respect to taxi and private hire licences.

### OTHER CONSIDERATIONS:

#### 5 SUSTAINABLE COMMUNITY STRATEGY AND CHANGE PLANS (RELEVANCE TO):

- 5.1 This report relates to ensuring the safety of the public using taxis and private hire vehicles licensed by the Council.

#### 6 RESOURCE IMPLICATIONS:

- 6.1 It is anticipated that the cost of implementation will be covered in the existing budget.

#### 7 RISK MANAGEMENT ISSUES

- 7.1 None

### BACKGROUND DOCUMENTS:

Department for Transport Taxi and Private Hire Vehicle Licensing – Best Practice Guide – 2 March 2010.

### APPENDICES:

- Appendix 1 Draft Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators.