

<b>REPORT TO</b>	<b>DATE OF MEETING</b>
<b>GENERAL LICENSING COMMITTEE</b>	<b>4<sup>th</sup> JULY 2016</b>

Report template revised June 2008



<b>SUBJECT</b>	<b>PORTFOLIO</b>	<b>AUTHOR</b>	<b>ITEM</b>
<b>INTRODUCTION OF A HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY</b>	<b>REGENERATION AND LEISURE</b>	<b>SHARON DAVIES</b>	<b>4</b>

## **SUMMARY AND LINK TO CORPORATE PRIORITIES**

The key aim of the licensing service is to protect the public. This report introduces a proposed Hackney Carriage and Private Hire Licensing Policy for consideration. To adopt the proposed policy will assist the Council in meeting its key licensing aim of protecting the public.

## **RECOMMENDATIONS**

1. That Committee consider the proposed policy at Appendix 1 and subject to any amendments they may wish to make, recommend it to full Council for adoption.

## **DETAILS AND REASONING**

The Council does not currently have a comprehensive policy covering the regulation of the Hackney Carriage and Private Hire trade within the Borough. Instead the Licensing Authority's policy can be found within numerous decisions taken by the General Licensing Committee over the years.

It is seen as best practice to have a comprehensive policy as it promotes a transparent and consistent approach towards the regulation of the trade, and it also strengthens the Council's case in the event of an appeal as the Magistrates' Court are required to consider the policy as part of the appeal process.

A draft policy bringing together the policies adopted over the years was prepared and considered by the General Licensing Committee at its meeting on 24<sup>th</sup> November 2015 when a period of consultation with the trade was approved.

Consultation took place until 1<sup>st</sup> January 2016. During this period a number of comments were received. The draft policy has been reviewed in light of these comments.

The draft policy has been further reviewed to include additional narrative confirming the aims of the licensing system and the test applied to prospective applicants for hackney carriage and private hire driver's licences. A section has also been included explaining the application process. This additional text does not include any policy changes therefore a further period of consultation would not be required. Members of the Committee will also note that the sections of the policy have been re-arranged to give greater prominence to the licensing of hackney carriage and private hire drivers. All changes/additional text has been highlighted in red.

The policy has been considered by internal legal services, external legal opinion and the Local Government Association to give assurance that it is robust and fit for purpose.

## WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas shown below.

<b>FINANCIAL</b>	None
<b>LEGAL</b>	The Council's Legal Team has considered the Proposed Policy together with the Appendices and is of the view that the document is not open to adverse legal challenge.
<b>RISK</b>	The adoption of the proposed policy could help to minimise risk associated with taxi licensing.
<b>THE IMPACT ON EQUALITY</b>	An Equality Impact Assessment of the draft policy is being undertaken. This will be completed and the outcomes reported to General Licensing Committee on the 4th July.
<b>OTHER (see below)</b>	

<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

## BACKGROUND DOCUMENTS

- Proposed Policy (Appendix A)