

<b>LICENSING COMMITTEE</b>	AGENDA ITEM No. 6
<b>18 SEPTEMBER 2014</b>	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Nigel North	
Contact Officer(s):	Licensing Manager Adrian Day Strategic Regulatory Services Manager Peter Gell	Tel. 454437 Tel. 453429

REVIEW OF THE PRIVATE HIRE OPERATOR LICENSING CONDITIONS TAXI LICENSING

RECOMMENDATIONS	
FROM : The Licensing Team Licensing Manager Adrian Day	Deadline date :
1. For the committee to adopt the updated draft licensing conditions as the council's "Private Hire Operator Licensing Conditions" ( <b>Appendix 1</b> ).	

**1. ORIGIN OF REPORT**

- 1.1 This report is the result of the need to review all policies on a regular basis.
- 1.2 There is a need for officers to review the Hackney Carriage and Private Hire Licensing Policy in order to ensure that it remains appropriate and fit for purpose.

**2. PURPOSE AND REASON FOR REPORT**

- 2.1 It is essential that all policies are current and fit for purpose in order for any regulation to be effective. Therefore it is good practice to review policies on a regular basis in order for the policy to be appropriate and up to date and fit for purpose.
- 2.2 The licensing conditions for private hire operators had not been reviewed for some time and therefore it was deemed appropriate for the conditions to be reviewed.
- 2.3 Following the committee's decision the outcome will form part of the Peterborough City Council's Taxi and Private Hire Licensing Policy and Guidance document.

**3. TIMESCALE**

Is this a Major Policy Item /Statutory Plan?	<b>No</b>
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**4. BACKGROUND INFORMATION**

- 4.1 All councils have different policies in relation to Hackney Carriage and Private Hire Vehicles in order to regulate the service in accordance with local requirements. A policy which is deemed appropriate in one locality may not meet the requirements or expectations within another locality.

- 4.2 It is good practice to review all policies from time to time in order to ensure that the policy adopted remains fit for purpose, takes in to account any changes in legislation, or to consider any other factors that may have an affect on the service to which the policy relates.
- 4.3 Peterborough City Council has various individual policies relating to Hackney Carriage and Private Hire Licensing many of which have remained unchanged for many years. Some of the aspects of licensing have been reviewed recently such as the vehicle age policy and the testing requirements for new driver applications. Also the conditions of fitness relating to Hackney Carriage Vehicles have been amended recently approving certain models of the Peugeot E7 as being suitable to be licensed as Hackney Carriage Vehicles.
- 4.4 There are currently 46 private hire operators licensed in Peterborough, these range from single vehicle owner driver's to companies with in excess of 100 vehicles.
- 4.5 The council has a responsibility to regulate Private Hire Operators in accordance with legislation, when receiving an application as well as considering any legislative requirements local authorities also have the ability to take into consideration local factors or issues that may be relevant when granting a licence.
- 4.6 Conditions in addition to the requirements imposed upon operators by the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 may be imposed on private hire operator licenses by local authorities.
- 4.7 The council may also add specific conditions to individual operator licences where it deems those conditions appropriate and reasonable in order to protect the public from harm or ensure that the operator acts within the law.
- 4.8 The main change within the draft conditions are the addition of section 15, "Satellite Offices".
- 4.9 A satellite office is an additional bookings location which operates away from the operator's main premises but under the existing licence. This type of operation is permitted within legislation however is open to abuse by the risk of plying for hire, therefore it is deemed appropriate and reasonable to add section 15, "Satellite Offices" to the draft private hire operator conditions (**Appendix 1**).

## **5. CONSIDERATIONS**

The committee should consider the implications, risks and consequences of amending the Private Hire Operator Conditions in particular any related to safety.

## **6. RISKS**

There have been no risks identified within the recommendation of this report.

## **7. ANTICIPATED OUTCOMES**

The Licensing Committee to make decision and this will form part of the Taxi and Private Hire Licensing Policy / Guidance document.

## **8. REASONS FOR RECOMMENDATIONS**

- To comply with statutory requirements regarding the regular review of licensing policies.
- To ensure that the policies and procedures continue to be fit for purpose.

## **9. ALTERNATIVE OPTIONS CONSIDERED**

- Retain the status quo.

## 10. IMPLICATIONS

### Corporate Resources

Financial – There are costs associated with undertaking a review of a policy, however there are also costs associated where a policy is challenged due to it not being fit for purpose.

Legal – Legal support has been provided by the council's legal team regarding the provision of advice and guidance on taxi licensing matters and the requirements of the consultation.

Corporate Priorities: Environment Capital  
Crime and Disorder / Community Safety  
Discrimination and Equality – none arising from this report  
Human Resources – none arising from this report  
ICT – none arising from this report  
Property – none arising from this report  
Procurement – none arising from this report

### Risk Assessment

Risks associated with policy changes will be assessed, and remedial actions identified where necessary. None identified.

An equality impact assessment was undertaken prior to submitting policy changes for adoption.

Policy changes will not have a disproportionate effect on any of the members of the equality groups.

### **BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)  
The Local Government (Miscellaneous Provisions) Act 1976  
The Town and Police Clauses Act 1847  
Equality Act 2010

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