

LICENSING COMMITTEE	AGENDA ITEM No. 5
21 JANUARY 2013	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller – Cabinet Member for Neighbourhoods, Housing and Planning	
Contact Officer(s):	Licensing Manager Adrian Day Strategic Regulatory Services Manager Peter Gell	Tel. 454437 Tel. 453429

CHANGES IN THE LICENSING POLICY FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING CONSULTATION

RECOMMENDATIONS	
FROM : The Licensing Team Licensing Manager Adrian Day	Deadline date: N/A
<p>The Committee is requested to:</p> <ol style="list-style-type: none"> 1. Approve the commencement of a consultation in relation to the policy covering the area's as listed below: <ul style="list-style-type: none"> i) Conditions of fitness for Hackney Carriage Vehicles; ii) Vehicle testing; iii) Driver badge renewal frequency; iv) Limousine and speciality vehicles; v) Private hire operator conditions; vi) Relevance of convictions and cautions; and vii) CCTV. 2. Agree the appropriate duration of the consultation, with the minimum period suggested being 8 weeks and the maximum being 12 weeks. 	

1. ORIGIN OF REPORT

- 1.1 This report is as a result of officers receiving a request from Allied Vehicles Ltd for the Council to review its conditions of fitness in relation to Hackney Carriage Vehicles. The request is to amend the Council's current criteria in order for the Peugeot E7 to be considered as suitable to be licensed as a Hackney Carriage Vehicle.
- 1.2 There is a need for officers to review the Taxi 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 Members are asked to consider a request from officers for the approval to launch an 8 week consultation in relation to the Hackney Carriage and Private Hire Vehicle Licensing Policy. If approval is given to commence the consultation the launch date for the consultation will be 1 February 2013, with an end date to be confirmed by the Committee.
- 2.2 We will be seeking responses from all stakeholders who have an interest in or may be affected by the Hackney Carriage and Private Hire Policy. A copy of the consultation document is attached at **Appendix A**.

- 2.3 During the consultation period, officers will attend scheduled Licensing Committee meetings on 14 February and 14 March and offer progress reports, practical guidance, also to conduct question and answer sessions for clarity.
- 2.4 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 any policy to be appropriate and up to date and fit for purpose.
- 2.5 Following the consultation period the responses will be collated and a policy will be drafted and presented to the Licensing Committee. The Committee will then be asked to consider all the information available in the associated documents and the draft policy in order to make an informed decision as to the adoption of a final policy.
- 2.6 This report is for the Committee to consider under its Terms of Reference No. 2.4.1.3(a) "hackney carriage and private hire vehicle licensing" and No. 2.4.1.7 2 "to monitor and review policy relating to licensing matters".

3. TIMESCALE

Is this a Major Policy Item /Statutory Plan?	No
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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 Taxi 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.
- 4.4 Officers received a request from Allied Vehicles Ltd to review its policy in relation to the conditions of fitness for hackney carriage vehicles in order for the Peugeot E7 to be considered as suitable and fit for purpose to be licensed as a hackney carriage vehicle in Peterborough. Currently the E7 can be licensed as a private hire vehicle; however it does not meet the specification set by Transport for London Conditions. These are the conditions adopted previously by the council as being the appropriate criteria for hackney carriage vehicles in Peterborough.
- 4.5 Officers have identified other area's of the taxi licensing service which would benefit from being reviewed in order to maintain the integrity of the service and to ensure that best practice continues. In addition to this the consultation will allow the draft of a single policy document for the Hackney Carriage and Private Hire Licensing service bringing the individual aspects in to the one document.
- 4.6 Just over a year ago the taxi licensing service relocated from Bridge House to the 4th floor Bayard Place, although the service has made some changes in order to adapt to the new location many of the processes, procedures and policies are not ideal for the current location. Therefore it is deemed necessary to review some area's of the business in order to develop processes and procedures that are more suited and appropriate for the new location.

5. SPECIFIC ITEMS INCLUDED IN THE CONSULTATION

5.1 **Conditions of Fitness for Hackney Carriage Vehicles**
(pages 2 to 10 of the consultation document)

5.2 **Vehicle Testing**
(pages 11 to 15 of the consultation document)

5.3 **Driver Badge Renewal Frequency**
(pages 16 to 19 of the consultation document)

5.4 **Limousines and Speciality Vehicles**
(pages 20 to 27 of the consultation document)

5.5 **Private Hire Operator Conditions**
(pages 28 to 33 of the consultation document)

5.6 **Relevance of Convictions and Cautions**
(pages 34 to 46 of the consultation document)

5.7 **CCTV**
(pages 47 to 49 of the consultation document)

6. CONSULTATION SCHEDULE

6.1 Pending the Committee's approval the consultation will be launched on 1 February 2013. Where the Committee recommends an 8 week consultation period the consultation will end on 29 March 2013. Where the Committee recommends a 12 week consultation period the consultation will end on 26 April 2013.

6.2 On the completion of the consultation all feedback will be collated and a draft Hackney Carriage and Private Hire Vehicle Policy will be drafted.

6.3 The draft policy and all associated documentation will then be presented to the Licensing Committee for consideration. The exact date will be dependant on the duration of the consultation and the timeframes for documentation to be prepared.

7. ANTICIPATED OUTCOMES

7.1.1 To commence a formal consultation in order to seek comments in relation to the review of the Hackney Carriage and Private Hire Licensing Policy.

8. REASONS FOR RECOMMENDATIONS

8.1 To comply with statutory requirements regarding the regular review of licensing policies.

8.2 To consider the request received from Allied Vehicles Ltd to review the policy.

8.3 To ensure that the policies and procedures continue to be fit for purpose.

9. ALTERNATIVE OPTIONS CONSIDERED

9.1 Retain the status quo.

10. IMPLICATIONS

10.1 Financial

There are costs associated with undertaking a public consultation exercise, however there are also costs associated where a policy is challenged due to it not being fit for purpose.

10.2 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. Some advice has also been provided by counsel.

11. **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