

LICENSING COMMITTEE	AGENDA ITEM No. 4
13 FEBRUARY 2020	PUBLIC REPORT

Report of:	Adrian Chapman, Service Director for Communities & Safety	
Cabinet Member(s) responsible:	Cllr Irene Walsh, Cabinet Member for Communities	
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LICENSING SERVICE ANNUAL UPDATE

R E C O M M E N D A T I O N S	
FROM: Director	Deadline date: N/A
<p>It is recommended that the Licensing Committee:</p> <ol style="list-style-type: none"> 1. Note the contents of the report, intended to provide Members with an annual update of the Licensing Service and its activities. 2. Approve an amendment to the Taxi and Private Hire Licensing Policy to remove the requirement for Hackney Carriages to be fitted with a swivel seat (retrospectively or otherwise) - with immediate effect. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Licensing Committee for information purposes and for consideration of the recommendation following a service review.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide Members with an annual review of the Licensing Service and its activities and to ask Members to approve an amendment to the Taxi and Private Hire Licensing Policy to remove the requirement for Hackney Carriages to be fitted (retrospectively or otherwise) with a swivel seat.
- 2.2 This report is for the licensing committee to consider under its Terms of Reference No. Part 3, Delegations Section 2 – Regulatory Committee Functions:
2.5.2.6 To approve (and periodically review) the standard conditions to be attached to any licence/permit/consent issued by the Council.
2.5.2.8 On recommendation by the Licensing Committee all non-statutory policies must be submitted either to Full Council or Cabinet for formal adoption. Thereafter, any minor amendments or modifications, can be adopted by the Licensing Committee.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
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4. BACKGROUND AND KEY ISSUES

4.1 Annual Service Update

Looking back on the last 12 months, there have been a number of successes for the service, some of which are listed below;

- the successful implementation of the Animal Welfare (Licensing of Activities Involving Animals) England Regulations 2018. The Regulations which came into force changed the previous licensing regime for businesses involved in dog breeding, dog and cat boarding including home boarding, dog day care, the selling and exhibiting of animals and hiring out of horses.
- The first renewal period of the three-year taxi and private hire driver licences since its introduction – the service has processed over 900 driver applications so far, with the renewal period running up to end of March.
- The successful migration of Rutland County Council’s back office system into that which is hosted by Peterborough. The Licensing service led on the migration, providing technical expertise from their extensive use of the platform so that maximum efficiencies could be realised by aligning processes where possible.
- The introduction of the Taxi Marshalling Scheme, which was introduced in April 19, and is wholly funded by licence fee income. Its introduction was in response to requests from the trade for more late-night enforcement. The Marshal’s primary role was to ensure revellers of the night time economy could get to their chosen method of transport quickly and safely, assisting the Police with clearing the City Centre in a timely manner. The Scheme was considered a huge success by all major stakeholders and as such negotiations are taking place to renew the agreement.

4.2 In addition to the above, the Licensing Service is responsible for accepting and processing a wide range of applications for licensable activities each year with the below demonstrating just some of the key areas and volumes from the last 12 months:

- Over 350 Temporary Event Notices
- 117 Personal Licences
- Over 200 transfers and DPS variations
- 25 new premises licences
- 300 street trading consents
- 800 taxi and private vehicle licences
- 226 premises inspections to ensure compliance with conditions

4.3 As well as having responsibility for issuing licences and enforcing against breaches, the service also carries out its own debt recovery. In practice this means, where a licence is subject to an annual fee and has been invoiced, should the licence holder fail to make the payment terms, officers have a statutory duty to issue suspension notices where all licensable activity must cease until the payment has been made. In the last 12 months 80 suspension notices were issued for non-payment of fees.

4.4 The Licensing Service has operated successfully under extreme pressure due to high service demands but also as a result of pressure relating to resources. Since May 19 the team has been carrying an enforcement vacancy with two unsuccessful recruitment attempts. In response to the failed attempts the role was modified to offer a development opportunity and is currently out to advert at the time of writing this report.

4.5 Amendment to the Taxi and Private Hire Licensing Policy

Officers are requesting an amendment to remove the current requirement that Hackney Carriages be fitted with a swivel seat (retrofitted or otherwise).

4.6 It is proposed to remove section 13.3 of Appendix A (Peterborough Conditions of Fitness for Hackney Carriage Vehicles) of the Taxi and Private Hire Licensing Policy which states: “*The near-*

side occasional seat must be of swivel type in order to accommodate the needs of passengers with physical disabilities, unless; a. the vehicle was licensed prior to these Conditions of Fitness being adopted and this facility was not installed, or b. the vehicle is newly presented for licensing, in which case this condition will not apply until 15 November 2014 to allow manufacturers / suppliers time to comply with this requirement. From the 15 November 2014 all newly presented vehicles for licensing will be required to have the swivel seat fitted”.

4.7 The reason for the requested amendment is in response to changes within the licensed trade and its suppliers of vehicles resulting in the seat no longer being retrofitted due to serious safety concerns that the retrofit damages the structural integrity of the vehicle and is not type approved.

4.8 The proposal to remove the swivel seat has been discussed with representatives of Disability Peterborough who are in favour of its removal.

4.9 It is not proposed to carry out a public consultation for the removal of the swivel seat fundamentally due to the safety risks surrounding its fitting.

5. CONSULTATION

5.1 None proposed

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 Amendment to the Taxi and Private Hire Licensing Policy to remove the requirement for Hackney Carriages to be fitted with an occasional swivel seat.

7. REASON FOR THE RECOMMENDATION

7.1 The reason for the recommendation is to address the safety risks associated with the retrofitting of the occasional swivel seat.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Status Quo – not recommended for the reason outlined in Reason for Recommendation.

9. IMPLICATIONS

Financial Implications

9.1 No financial implications identified

Legal Implications

9.2 Legal Services will be required to issue advice on the amendment to the Taxi and Private Hire Licensing Policy.

Equalities Implications

9.3 The proposals contained in this report do not seek to discriminate against any particular group.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 Peterborough City Council's Taxi and Private Hire Licensing Policy

11. APPENDICES

11.1 Appendix A - Peterborough City Council's Taxi and Private Hire Licensing Policy

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