

REPORT TO: LICENSING COMMITTEE

Date of Meeting: 22 September 2015

Report of: Environmental Health and Licensing Manager

Title: Updated compilation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators

Legislation: Local Government (Miscellaneous Provisions) Act 1976
Town and Police Clauses Act 1847
Hackney Carriage Byelaws

Is this a Key Decision?

No

Is this an Executive or Council Function?

Licensing is a Council function delegated to the Licensing Committee

1. What is the report about?

- 1.1 To rectify a clerical error in respect to the colour stipulated for hackney carriage vehicles
- 1.2 To agree an update to the compilation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators

2. Recommendations:

- 2.1 That the Committee agrees that the colour for Hackney Carriage vehicles which should be painted or 3M Scotchcal vinyl or equivalent on the exterior paintwork / bodywork below the window line and across the bonnet and boot is RAL 3001 Signal Red
- 2.2 It is recommended that the Committee accepts the updated compilation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators; and
 - a) Resolve that major amendments will not be made unless a report has been put before a subsequent licensing committee for consideration; and
 - b) The Assistant Director Environment be given authority under the scheme of delegation to make minor changes if or when necessary.

3. Reasons for the recommendation:

- 3.1 This report brings to the Committees attention an updated compilation of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators that has been agreed since the document was last updated and agreed by the Committee in 2009.
- 3.2 The document consists of policies, practices and procedures that have been the subject of consultation in the past and are therefore not the subject of further consultation at this time.

3.3 It is recognised that changes to the document are bound to arise as legislation and practices change. Proposals that may become statutory or Code of Practice requirements in the future would be the subject of consultation at that time if the need arises.

4. What are the resource implications including non financial resources.

4.1 There will be no resource implications in implementing the recommendations.

5. Section 151 Officer comments:

6. What are the legal aspects?

6.1 The Licensing Authority has a statutory duty to ensure that public safety is not compromised when considering the issue of licences and to ensure that any vehicle, driver or operator licensed is suitable, safe and fit for the purpose.

6.2 It is felt that the proposals contained in this report will lead to greater transparency, accessibility and consistency for the trade, public, councillors and officers through bringing together all of the policy decisions relating to Hackney Carriage and Private Hire Vehicles, Drivers and Operators into one document.

7. Monitoring Officer's comments:

8. Report details

8.1 Since the revision of the last document in 2009, policy has developed and altered when legislative requirements required it or when it has been necessary for the Licensing Committee to review the policy.

8.2 Following the change to Hackney Carriage vehicle policy in March 2015, this document has been updated to provide a single source of information on all the existing policies, practices and procedures relating to Hackney carriage and private hire vehicles, drivers and operators.

8.3 The document also seek to simplify the presentation of requirements for CCTV within vehicles in order to make it easier for the trade and CCTV installers to understand the Council's minimum specification.

8.4 It is likely that changes to the document will be required when legislation or policy changes. It is intended that prior to any substantial change to the document a report will be bought to the Licensing Committee explaining the changes necessary and suggesting an appropriate form of words.

8.5 It is possible that some minor changes may need to be addressed in the future and it is considered necessary that the Assistant Director Environment be given delegated powers to make minor changes if the need arises.

8.6 It has also become apparent that a clerical error was made in the report to the Licensing Committee on 16 March 2015 regarding the policy of restriction and quality

standards for Hackney Carriages. The report incorrectly stated in Appendix C that 'No vehicle shall be licensed as a Hackney carriage vehicle unless its exterior paintwork / bodywork below the window line and across the bonnet and boot are painted to Pantone Red 032C or the area identified is "wrapped" in 3M Scotchcal Vinyl or equivalent vinyl to the same colour specification.'

8.7 This report seeks approval to rectify the clerical error and replace the stipulated colour to read RAL 3001 Signal Red.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 Updating the Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators will contribute to a healthy and safe city and assist the primary aim of taxi licensing which is to protect public safety.

10. What risks are there and how can they be reduced?

10.1 Formulating a Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators that protects public safety should lead to a positive impact on creating a vibrant city to live, work and visit.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

11.1 There are no specific impacts on equality and diversity groups.

12. Are there any other options?

12.1 Members could choose not to accept this consolidate document of Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators, however this potentially will lead to criticism of grounds of a lack of transparency, accessibility and consistency.

Assistant Director Environment

Local Government (Access to Information) Act 1972 (as amended)
Background papers used in compiling this report:-

Reports and Minutes of the Licensing Committee since June 2009

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275