

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Licensing Committee
<b>Date of Meeting:</b>	16 June 2016
<b>Subject:</b>	Revision of Hackney Carriage (Taxi) and Private Hire Licensing Policy
<b>Report of:</b>	Bhavdip Nakum, Licensing and Systems Officer
<b>Corporate Lead:</b>	Richard Kirk, Interim Environmental Services and Housing Group Manager
<b>Lead Member:</b>	Councillor J R Mason
<b>Number of Appendices:</b>	Two

## **Executive Summary:**

To inform the Licensing Committee about the consultation on the review of Hackney Carriage (Taxi) and Private Hire Licensing Policy and to ask the Committee to recommend the draft policy for adoption by Council.

## **Recommendation:**

**To RECOMMEND TO COUNCIL that the draft policy be ADOPTED.**

## **Reasons for Recommendation:**

To ensure that the Council's policy is robust in providing a safe service to the residents and visitors of the Borough and to provide clarity to applicants, existing licence holders and members of the public.

## **Resource Implications:**

Total cost will be met from existing resources.

## **Legal Implications:**

The Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 provide the authority for the Council to licence hackney carriage drivers and vehicles and private hire drivers, vehicles and operators.

**Risk Management Implications:**

If the council does not fulfil its duties under the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 and does not follow the best practice suggested by the Courts and the Department for Transport when licensing drivers, vehicles and operators, it may be liable to legal challenges.

**Performance Management Follow-up:**

If the Committee recommends a redraft, a special Licensing Committee meeting will be held to approve the policy statement for consultation or recommend further amendments.

**Environmental Implications:**

None.

**1.0 INTRODUCTION AND BACKGROUND**

1.1 On 11 February 2016, the Licensing Committee resolved to recommend the policy draft (**Appendix A**) for 6 weeks consultation.

**2.0 CONSULTATION**

2.1 The consultation began on 18 March 2016 and comments could be submitted until 30 April 2016.

2.2 The consultation was published on the Council's website and letters were sent to all current licence holders inviting them to take part in the consultation.

2.3 Five responses were received during the consultation. All responses are from members of the taxi and private hire trade in the Borough. These responses can be seen at Appendix B.

**3.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

3.1 Environmental Health Enforcement Policy.

**4.0 RELEVANT GOVERNMENT POLICIES**

4.1 The Department for Transport has produced best practice guidance to local authorities to assist them in the licensing of taxi and private hire vehicles.

**5.0 RESOURCE IMPLICATIONS (HUMAN/PROPERTY)**

5.1 Met from existing resources.

**6.0 SUSTAINABILITY IMPLICATIONS (SOCIAL/COMMUNITY SAFETY/CULTURAL/ECONOMIC/ ENVIRONMENT)**

6.1 An effective Taxi and Private Hire policy can help promote community safety and increase public confidence.

**7.0 IMPACT UPON (VALUE FOR MONEY/EQUALITIES/E-GOVERNMENT/HUMAN RIGHTS/HEALTH AND SAFETY)**

7.1 None.

**8.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

8.1 Licensing Committee decision on 11 February 2016.

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**Background Papers:** Private Hire Vehicle Licensing: Guidance Note, Guidance to Local Authorities and Operators on Provisions in the Equality Act in respect of Taxis, Taxi and Private Hire Vehicle Licensing: Best Practice Guidance, Road Safety Act 2006: Private Hire Vehicles - Guidance Note.

Councillors' Handbook on Taxi and Private Hire Licensing.

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**Appendices:** Appendix A: Draft Policy.

Appendix B: Consultation Responses.