

Agenda Item

REPORT OF LEAD LICENSING OFFICER

To: LICENSING COMMITTEE

Subject: REVIEW OF TAXI POLICY

Date: 11 MARCH 2020

Reference:

PURPOSE OF REPORT:

To present to the Committee proposals for the review of the Council's Licensing Policy for Taxis and Private Hire Licences.

1. INTRODUCTION

The Council's current Licensing Policy for Taxis and Private Hire Licences was approved by Licensing Committee on 15th June 2017. The policy is now due for review. Due to developments in guidance and best practice it is necessary to update the policy to ensure it remains up to date and robust.

2. REPORT

Unlike the Licensing Act 2003 and the Gambling Act 2005, there is no legal duty on the Authority to publish a licensing policy for taxi and private hire licences. However, many licensing authorities have such policies in place and this is widely regarded as best practice. A licensing policy is an essential component of the Authority's regulatory system without which the Authority's decisions on licensing matters would be open to legal challenge.

The overriding aim of the Policy is to provide for the protection and safeguarding of the travelling public and this objective remains at the heart of the review process.

The existing policy has served the Authority well since it was last reviewed. However, it is important to ensure that the Policy is kept up to date with any legislative changes and developments in best practice.

It is proposed to open a 3 month consultation period to seek views on proposed revisions and to invite further suggestions for review or amendment and to report back to the Licensing Committee at the end of the consultation period.

A summary of the initial proposed revisions to the Policy are given in Appendix A.

The proposed new convictions policy is detailed in Appendix B.

The existing policy is provided in Appendix C.

3. IMPLICATIONS

Legal Implications

Although there is no legal duty on the Authority to publish a licensing policy for hackney carriage and private hire licences, the absence of a robust policy would leave the Authority open to legal challenge.

Financial Implications

None

Human Resources Implications

None

Sustainability Implications

None

Equality/Diversity

None

Risk Management

As legal implications

Compliance with Policies and Strategies

The policy will be reviewed in conjunction with the Council's Carbon Reduction Plan

Data Protection (GDPR) Implications

Any amendments to the policy will comply with data protection requirements

Climate Change

The policy will seek to implement measures to reduce the effects of climate change and will be in accordance with the Council's Carbon Reduction Plan

Lead Member Views

Councillor James, Lead Member, has been consulted.

4. CONCLUSIONS

It is important to ensure that the Authority's Policy is kept up to date to reflect legislative changes and is fit for purpose. The proposed revisions to the current Policy are necessary and proportionate and strike a reasonable balance between the legitimate rights of licence holders and the Authority's over-riding duty to protect the public.

5. RECOMMENDATIONS

It is recommended that members approve the consultation process for the Taxi Licensing Policy

SUPPORTING INFORMATION

Consultations:	To be undertaken following approval of the draft policy
Contact Officer:	Chris Parkhouse
Background Papers:	Licensing data area/files