

## Cabinet

15<sup>th</sup> April 2015



### Review of the Council's Hackney Carriage and Private Hire Licensing Policy

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**Report of Corporate Management Team**  
**Terry Collins, Corporate Director of Neighbourhood Services**  
**Cllr Brian Stephens, Portfolio Holder for Neighbourhoods and Local Partnerships**

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#### Purpose of the Report

1. To seek Cabinet approval for Licensing Services to begin formal public consultation on proposed revisions to the existing Durham County Council Hackney Carriage and Private Hire Licensing Policy, more commonly referred to as the "taxi policy". The consultation on the existing policy is an integral part of the overall policy review process, leading to the adoption of a revised policy by Council. The existing policy is attached as Appendix 2.

#### Background

2. **The Policy Review** - The existing Hackney Carriage and Private Hire Licensing Policy was adopted by the Council in May 2011. The Policy states that the Council will review it every three years and will also make such revisions to the policy, as it considers appropriate and publish it accordingly.
3. Policy related matters have been identified that need to be reviewed. The proposed revisions and other items for consideration concerning both licensed vehicles and drivers associated with the following:
  - Possible vehicle age restrictions and engine emission standards
  - The use of vehicle top signs and other licensed vehicle identifications
  - Conditions relating to limousines
  - The suspension of licensed vehicles
  - Numeracy and literacy testing for new drivers
  - Potential for introduction of new, more stringent safeguarding and child protection measures
4. Potential changes to the policy document for consideration are shown in the table of changes in Appendix 3.

## **Consultation**

5. Licensing Services propose to consult on the existing Hackney Carriage and Private Hire Licensing Policy for a period of not less than 12 weeks. The amended policy together with the potential changes being proposed would be subject to a broad consultation involving the taxi trade, trade representatives, taxi service users and all relevant authorities and organisations.
6. The consultation will be widely advertised in the local and regional press and also available on the Council's website.

## **Responses**

7. At the end of the consultation period, responses will be collated and presented in a report to the General Licensing and Registration Committee.
8. Proposed amendments to the policy resulting from the consultation and review process will be presented in the future report along with a recommendation that Committee agrees to the proposed revisions and in turn, recommends adoption of the revised policy by Council.

## **Recommendations and Reasons**

9. That Cabinet considers this consultation proposal to enable a full and proper review and revision to the current 'taxi' policy.
10. That Cabinet supports the review process, leading to the production of a revised draft version of the 'taxi' policy to be reported to the Licensing Committee with a view to its eventual adoption by full Council.

## **Background Papers:**

- Local Government (Miscellaneous Provisions) Act 1976
- Town Police Clauses Act 1847
- Department for Transport Best Practice Guidance

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## **Appendix 1: Implications**

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**Finance** – There will be a financial implication on the income from the Private Hire Operator fees as the duration of the licence will be extended from 1 year to 3 years.

**Staffing** – None

**Risk** - None

**Equality and Diversity / Public Sector Equality Duty** - The Hackney Carriage and Private Hire Licensing Policy has gone through a full Equality and Diversity Impact Assessment.

**Accommodation** - None

**Crime and Disorder** - None

**Sustainability** - None

**Human Rights** – None

**Consultation** – A full public consultation process will be undertaken in respect of the review of this policy.

**Procurement** - None

**Disability Issues** – None

**Legal Implications** – Possible challenges to any ongoing legal actions taken under 1976 Act