

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

**LICENSING POLICY
HACKNEY CARRIAGE AND PRIVATE HIRE**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To present the Hackney Carriage and Private Hire Licensing Policy for approval following consultation. A copy of the draft policy is at Appendix A to this report.
- 1.2 That the policy be referred to Full Council for approval.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Council has a duty to protect the public and is authorised to carry out the statutory function of issuing Licences in relation to Hackney Carriage and Private Hire Drivers, Vehicles and Operators.
- 2.2 These Licenses are issued in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- 2.3 There is no legal requirement for the Policy, however due the increase in consultation being carried out related to these licensing functions and the need to be consistent in our approach to licensing, it was considered good practice that such a policy to be implemented.
- 2.4 The draft policy was presented to the Licensing Committee on 13 January 2009.
- 2.5 Following the approval to start consultation, working groups were set up with representatives from the Hackney Carriage and Private Hire Trade. Copies of the notes made during the working groups are attached as Appendix B to this report.
- 2.6 Other comments received following the consultation are attached as Appendix C to this report.

- 2.6 There are significant changes to the Hackney Carriage and Private Hire trade within North Lincolnshire. These have been agreed during the consultation.
- 2.7 A number of policy changes will have an impact on service delivery, namely the adoption of a local knowledge test for Hackney Carriage Drivers. It is proposed that the cost of the knowledge test be set at £25.00, which will include up to 3 free re-tests. Subject to paragraph 2.9, any applicants who are still waiting to be licensed should be required to sit the knowledge test.
- 2.8 The issue of dual drivers licences will cease with the introduction of this policy. It is proposed that drivers wishing to apply for both types of licence at the same time will be able to do so for one fee. Should an application be made at a later date, then the full fee would be payable.
- 2.9 If approved, the policy will need to be referred to Full Council, however it is felt that Parts 2 and 3 of the policy and the conditions should be brought in to effect immediately.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – To approve the policy following consultation with interested parties.
- 3.2 Option 2 – To revise the policy prior to approval.
- 3.3 Option 3 – To reject the policy.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – This is in line with the process normally carried out when determining Licensing Policy.
- 4.2 Option 2 – Members of this committee have been part of the working groups.
- 4.3 Option 3 – A rejection of this policy would undermine the work carried out to resolve the issues within the Taxi trade.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 There will be some financial impact associated with this policy with the introduction of the local knowledge test. All new applicants for a Hackney Carriage Vehicle Drivers Licence will be required to sit the said test, this will result in approximately 50 persons taking the test per annum.

5.2 Should the policy be agreed it will be reviewed in line with other statutory policies on a 3 yearly cycle.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Local Government (Miscellaneous Provisions) Act 1976

6.2 Town Police Clauses Act 1847

6.3 A diversity Impact assesment has been carried out and will be available at the committee meeting.

7. OUTCOMES OF CONSULTATION

7.1 Consultation has been carried out with interested parties and their views are included in the policy. Copies of the notes from the working group are attached as Appendix B and written responses are attached as Appendix C to this report.

8. RECOMMENDATIONS

8.1 That the licensing policy be approved, and referred to Full Council

8.2 That parts 2 and 3 of the policy and the conditions be approved with immediate effect..

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