



**AGENDA ITEM: 8**

**LICENSING & APPEALS  
COMMITTEE: 5 DECEMBER  
2017**

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**Report of: Director of Leisure and Wellbeing Services**

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**SUBJECT: APPROVAL OF HACKNEY CARRIAGE AND PRIVATE HIRE POLICY  
STATEMENT 2018**

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Wards affected: Borough wide

**1.0 PURPOSE OF REPORT**

- 1.1 To approve the Hackney Carriage and Private Hire Licensing Policy Statement 2018 following public consultation.

**2.0 RECOMMENDATIONS**

- 2.1 That having regard to the response to the public consultation contained in this report, the Hackney Carriage and Private Hire Licensing Policy Statement 2018 attached at Appendix 2 to this report be approved for use from 1 February 2018.

**3.0 BACKGROUND**

- 3.1 The Council's Hackney Carriage and Private Hire Policy Statement (the Policy) has been reviewed regularly since it came into force in 2010; most recently in February 2016. However, changes in legislation relating to the accessibility of vehicles and immigration, as well as the need to review existing safeguarding controls, necessitated amendment to the Policy.
- 3.2 A draft version of the Policy was approved by this Committee on 6 June 2017 and was subject to public consultation from 31 July 2017 to 31 October 2017. During this time, all licensed drivers, vehicle owners and operators were contacted directly to make them aware of the amendments and of the need to submit any comments during the consultation period. In addition, information was posted on the Council's website, in the Licensing Service reception at Robert Hodge Centre and also in the local press.

## **4.0 ISSUES**

- 4.1 Only one response was received during the consultation period and this did not relate to any of the proposed changes to the Policy, rather it related to the Council's medical requirements for licensed drivers. The response was from a North West GP that specialises in commercial driver occupational health offering their services in the determination of medical assessments. Whilst this response prompted a review of the medical form issued to applicants to ensure its ongoing compliance with the Group 2 medical standards, it did not necessitate any change to the Policy.
- 4.2 Accordingly, the Policy attached at Appendix 2 to this report is presented to Members for approval so it can be implemented from 1 February 2018.

## **5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 5.1 The Policy has the potential to impact upon many areas within the Community. The Licensing Objectives, therefore, has some associations with the Community Strategy, and the proposals have the following links with the Community Strategy: Community Safety (issues A, C and E); Economy and Employment (issue D).

## **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 No additional financial or other resources are required.

## **7.0 RISK ASSESSMENT**

- 7.1 The Council has a legal duty to administer the Hackney Carriage and Private Hire licensing regime, but not to prepare and operate a Policy document. However, given the complexity of the licensing regime, it is good practice for the Council to formulate and publish relevant policies and standards. Given that Members have already approved the existing Policy, a failure to improve and maintain the requirements of the Policy could result in criticism from the community including statutory bodies, the taxi trade, the travelling public and other interested parties.

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### **Background Documents**

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

None.

### **Equality Impact Assessment**

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

## **Appendices**

1. Equality Impact Assessment.
2. Hackney Carriage and Private Hire Statement of Licensing Policy 2018

## Appendix 1

# Equality Impact Assessment Form



Directorate: Leisure and Wellbeing

Service: Licensing

Completed by: Paul Charlson

Date: 05/12/17

Subject Title: REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE POLICY

### 1. DESCRIPTION

Is a policy or strategy being produced or revised:	Yes <i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty ( <b>Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations</b> ):	No
Details of the matter under consideration:	

*If you answered **Yes** to any of the above **go straight to Section 3***

*If you answered **No** to all the above **please complete Section 2***

### 2. RELEVANCE

Does the work being carried out impact on service users, staff or Councillors (stakeholders):	No <i>*delete as appropriate</i>
If <b>Yes</b> , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered <b>Yes</b> go to <b>Section 3</b></i>	
If you answered <b>No</b> to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	

### 3. EVIDENCE COLLECTION

Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	All licensed HC & PH drivers and operators.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	All sections of the public used licensed HC & PH vehicles, this report relates to the Council's implementation of relevant licensing legislation.
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>

Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
<b>4. DATA ANALYSIS</b>	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	All licensed HC & PH drivers and operators.
What will the impact of the work being carried out be on usage/the stakeholders?	Revised licence requirements and procedures.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	The proposed Policy will be subject to public consultation. Any objections will be brought back to this Committee.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	The proposed Policy will be subject to public consultation. Any objections will be brought back to this Committee.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
<b>5. IMPACT OF DECISIONS</b>	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	None.
<b>6. CONSIDERING THE IMPACT</b>	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No actions  <i>If no actions are planned state no actions</i>
<b>7. MONITORING AND REVIEWING</b>	
When will this assessment be reviewed and who will review it?	The proposed Policy will be subject to public consultation. Any objections will be brought back to this Committee.