

GENERAL PURPOSES AND LICENSING COMMITTEE – 10 JUNE 2011**REVIEW OF TAXI LICENSING POLICY****1. Introduction**

- 1.1 The purpose of this report is to consider the undertaking of a review of the Statement of Principles (Taxi Licensing) for this administrative area.

2. Background

- 2.1 Local authorities have a large number of licensing and registration functions. Parliament has, for the last 170 years, passed legislation covering hackney carriages, and since 1976 legislated for private hire vehicles but the actual day-to-day implementation of that legislation falls to local authorities.
- 2.2 As with all other areas of its activity, the local authority is entitled to adopt policies in relation to hackney carriage and private hire licensing. Policies are an integral part of the decision-making process, informing and guiding the decision-makers, and providing a valuable aid to consistent decision-making. In contrast with more recent licensing regimes under the Licensing Act 2003 and Gambling Act 2005 there is no statutory requirement to set a taxi licensing policy. Rather, taxi licensing policies are created voluntarily by the local authority to assist with consistent decision making.
- 2.3 District and Unitary Councils also have powers to set conditions on Hackney Carriage and Private Hire licences through the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847.

3. Review of Taxi Licensing Policy (Statement of Principles)

- 3.1 Consolidation of all the conditions, considerations and policy applicable to taxi licensing in the New Forest District administrative area was undertaken in 2009 and the current Statement of Principles (Taxi Licensing) was produced on 15 January 2010. This can be viewed using the following link: (NFDC Home/Business/Licensing/Taxis)<http://www.newforest.gov.uk/index.cfm?articleid=9558&articleaction=dispmedia&mediaid=12542>
- 3.2 It is proposed that the current policy is subject to a 12 week consultation period with all parties that have an interest in taxi licensing matters.
- 3.3 The proposed timetable for this review process is as follows:
- 10 June 2011 – Committee approval for consultation process to begin;
 - 13 June 2011 – Consultation with Taxi Association and other interested parties begins;
 - 13 June 2011 to 5 September 2011 – Consultation process;
 - 11 November 2011 – Committee receives report on responses to consultation;
 - 13 January 2012 – Policy submitted for approval by committee.

4. Conclusion

- 4.1 The policy is about the principles the Council will apply to taxi licensing matters as authorised under the various pieces of legislation and with reference to all relevant guidance. It must be made clear that the policy is not a fetter on the discretion of the local authority. Each case must continue to be judged on its own merits, but this can be done in the light of the policies that are applicable. A policy guides, but does not bind, a local authority.

5. Financial Implications

- 5.1 Any costs associated with the review, consultation and re-publication of the policy have to be met by taxi licensing fee income.

6. Environmental Implications

- 6.1 The policy will state, where applicable, the approach taken by the Council to address any environmental considerations.

7. Crime and Disorder Implications

- 7.1 The policy will state, where applicable, the approach taken by the Council to address crime and disorder concerns.

8. Equality and Diversity Implications

- 8.1 The policy will state, where applicable, the approach taken by the Council to address equality and diversity matters.

9. Recommendations

- 9.1 The committee is asked to approve the timetable as set out in paragraph 3.3 for the review process of the Statement of Principles (Taxi Licensing Policy).

Further Information:

Paul Weston
Licensing Officer
Licensing Services
Tel: 023 8028 5449
Fax: 023 8028 5596
Email: paul.weston@nfdc.gov.uk

Background papers:

NFDC Taxi Licensing Policy v1
DfT Taxi Vehicle Licensing -
'Best Practice Guidance'