

GENERAL PURPOSES AND LICENSING COMMITTEE – 12 JANUARY 2018

REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING POLICY

1. INTRODUCTION

- 1.1 The purpose of this report is to consider the undertaking of a review of the Private Hire and Hackney Carriage Licensing Policy (Taxi Policy) for New Forest District Council.

2. BACKGROUND

- 2.1 Policies are an integral part of a Local Authority's decision making process; informing and guiding decision makers and providing a valuable aid to consistency.
- 2.2 The purpose of this policy is to provide a guide for Officers of the Council, Members of the Council's General Purposes & Licensing Committee, the licensed trade and new applicants. The policy will clearly set out standards and boundaries that the Licensing Authority considers acceptable. The policy may also be a valuable reference document for Magistrates Courts who may hear appeals following decisions made by the Council.
- 2.3 A Taxi Licensing Policy should provide a clear statement of how a Licensing Authority intends to carry out the licensing of drivers, vehicles and operators, providing transport to members of the public in hackney carriages or private hire vehicles.
- 2.4 The Taxi Policy was last reviewed in 2012 and this revision will include major changes to bring the policy up to date. Transformations have taken place within the trade in recent years and it is important that policies are current and fit for purpose.

It is intended that the policy will be reviewed periodically to ensure it relates to current best practice and recent case law. The policy is intended to protect public safety and ensure that the requirements of the District in respect of the taxi and private hire trade are met.

- 2.5 The draft policy will be made available to a wide audience, to support an in depth consultation, as there are new areas of policy such as on safeguarding.

3. PROPOSED TIMETABLE

- 3.1 The following timetable has been prepared for Members to consider and approve. The timescales take into account the meeting dates for General Purposes & Licensing Committee and the full Council. Allowing for a suitable period of time for consultation in accordance with best practice recommendations and taking into account the principles established through case law which set out that in order for consultation to be fair, a public body must ensure:

- that the consultation must be at a time when proposals are still at a formative stage;
- that the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
- that adequate time is given for consideration and response; and
- that the product of consultation is conscientiously taken into account when finalising the decision

The proposed timescale: -

- 12 January 2018 – General Purposes & Licensing Committee consideration of the review of the taxi policy
- 9 March 2018 – – General Purposes & Licensing Committee consideration of the draft policy prior to consultation
- 1 April 2018 to 31 June 2018- consultation process
- 7 September 2018- – General Purposes & Licensing Committee consideration of the consultation responses
- 16 November 2018- Final Policy submitted to General Purposes & Licensing Committee for approval
- 10 December 2018 - Final Policy adopted by Full Council

4. CONCLUSION

- 4.1 The policy will state the principles the Council will apply to taxi licensing as authorised under statutory legislation. It will reference relevant guidance and case law and act as a basis for decision making. The policy however may be departed from on a few occasions, as each case will continue to be judged on its own merits.

5. FINANCIAL IMPLICATIONS

- 5.1 Any costs associated with this review will be met by taxi licensing income.

6. CRIME AND DISORDER IMPLICATIONS

- 6.1 The policy will address the approach taken by the Council to address crime and disorder implications.

7. ENVIRONMENTAL/ EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 The policy will address the approach taken by the Council to address environment and equality and diversity implications.

8. RECOMMENDATION

- 8.1 That the Committee approve the timetable as set out in paragraph 3.1 for the review of New Forest District Council's Taxi Licensing Policy.

For further information contact:

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Background Papers:

None