

Notice of:	EXECUTIVE
Decision Number:	EX19/2016
Relevant Officer:	Mark Towers, Director of Governance and Regulatory Services
Relevant Cabinet Member:	Councillor Gillian Campbell, Deputy Leader of Council (Tourism, Economic Growth and Jobs)
Date of Meeting:	7 th March 2016

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

1.0 Purpose of the report:

- 1.1 Further to the consultation undertaken to consider the recommendation of the Licensing Committee regarding the proposed Hackney Carriage and Private Hire Licensing Policy.

2.0 Recommendation(s):

- 2.1 To consider the consultation responses as attached at Appendix 6a, to the Executive report.
- 2.2 To agree the proposed policy as outlined at Appendix 6b, to the Executive report.

3.0 Reasons for recommendation(s):

- 3.1 The Hackney Carriage and Private Hire policy was last revised in 2010 and the Licensing Committee has previously agreed that the policy requires amendments.

The proposed policy attached at Appendix 6b, to the Executive report, has been amended to address the areas of concern of the Licensing Committee including around Child Sexual Exploitation and also to respond to the comments received from the trade on the draft policy.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

Not to endorse the revised policy or to propose further amendments to the revised policy.

4.0 Council Priority:

4.1 The relevant Council Priority is:

“The economy: Maximising growth and opportunity across Blackpool”

5.0 Background Information

5.1 The Hackney Carriage and Private Hire policy is not a statutory policy. This means that there is no requirement for the Council to adopt one, although it is good practice to do so as it sets out the Council’s approach to issuing licences and enforcement. Decisions made in accordance with the policy are more likely to be upheld in the event of an appeal.

5.2 The current policy has been in existence since 2010 and the Licensing Committee at its meeting on the 3rd June 2015 requested that officers undertake a full review of the policy in the light of recent cases for example, Rotherham, which had received national publicity.

5.3 In February 2015, the Casey Report into Child Sexual Exploitation (CSE) was published. That report devoted two chapters to taxi licensing and the involvement of taxis in Child Sexual Exploitation. A recent Serious Case Review from Oxford also highlighted the involvement of taxi drivers in Child Sexual Exploitation – on this occasion they were not the perpetrators, however they were used to take young people to places where they were then abused. These reports highlight the importance of ensuring that only suitable people are licensed as drivers and that those who are licensed receive appropriate training on safeguarding issues.

5.4 The Licensing Committee approved a draft policy for consultation at its meeting in October 2015. Consultation took place until 31st January 2016 and the comments received can be found at Appendix 6a, to the Executive report.

5.5 The draft policy has been revised taking into account some of the comments received during consultation. The main changes from the draft policy can be summarised as follows:

Drivers

- Amend the time intervals that medicals are required to align with the DVLA

- policy on group 2 medicals
- To confirm the adoption of World Host training for applicants for new licences

Vehicles

- To remove the proposal that all new and replacement multi-seat vehicles carrying 6-8 passengers must be wheelchair accessible
- To confirm the maximum age limit of 14 years
- To confirm the frequency of vehicle testing
- Not to implement a penalty point system

5.6 The policy was considered by the Licensing Committee at its meeting on the 1st March 2016 and that Committee agreed to recommend the proposed policy to the Executive for approval and this was reported at the Executive meeting.

5.7 Does the information submitted include any exempt information? No

5.8 **List of Appendices:**

Appendix 6a – Responses to consultation

Appendix 6b – Proposed Hackney Carriage and Private Hire Policy

6.0 **Legal considerations:**

6.1 None

7.0 **Human Resources considerations:**

7.1 None

8.0 **Equalities considerations:**

8.1 There will be a possible impact from requiring applicants to demonstrate a basic level of English language. This can however be mitigated by the intention to signpost applicants who cannot meet the required standards to relevant training. This requirement is also considered necessary and proportionate to ensure that drivers are able to communicate effectively with customers and correctly undertake their duties as licensed drivers.

9.0 **Financial considerations:**

9.1 There are no financial considerations.

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

14.0 Key decision information:

14.1 Is this a key decision? Yes

14.2 If so, Forward Plan reference number: 21/2015

14.3 If a key decision, is the decision required in less than five days? No

14.4 If **yes**, please describe the reason for urgency:

15.0 Call-in information:

15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

15.2 If **yes**, please give reason:

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

16.0 Scrutiny Committee Chairman (where appropriate):

Date informed: 26th February 2016 Date approved:

17.0 Declarations of interest (if applicable):

17.1 None

18.0 Executive decision:

18.1 The Executive agreed the recommendation as outlined above namely:

1. To note the consultation responses as attached at Appendix 6a, to the Executive report.
2. To agree the proposed policy as outlined at Appendix 6b, to the Executive report.

18.2 Date of Decision:

7th March 2016

19.0 Reason(s) for decision:

The Hackney Carriage and Private Hire policy was last revised in 2010 and the Licensing Committee has previously agreed that the policy requires amendments.

The proposed policy attached at Appendix 6b, to the Executive report, has been amended to address the areas of concern of the Licensing Committee including around Child Sexual Exploitation and also to respond to the comments received from the trade on the draft policy.

The policy has also been endorsed by the Licensing Committee.

19.1 Date Decision published:

8th March 2016

20.0 Executive Members present:

20.1 Councillor Campbell, in the Chair

Councillors Cain, Collett, Cross, Jackson, Kirkland, Smith, I Taylor and Mrs Wright

Apologies were received from Councillor Blackburn who was engaged elsewhere on Council business.

21.0 Call-in:

21.1

22.0 Notes :

22.1