

LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE**20 SEPTEMBER 2017**

REPORT TITLE	HACKNEY CARRIAGE AND PRIVATE HIRE POLICY FOR CURRENT LICENCE HOLDERS
REPORT OF	MANAGING DIRECTOR FOR DELIVERY

REPORT SUMMARY

The purpose of this report is to seek Members approval of a policy in relation to the criteria applicable when considering the fitness and propriety of a Private Hire or Hackney Carriage licence holder when the licence holder has committed offences or failed to maintain the standards expected of a licence holder.

RECOMMENDATION/S

That the policy be adopted with immediate effect by the Committee as the policy to be used when determining the fitness and propriety of a licence holder when the licence holder has committed offences or failed to maintain the standards expected of a licence holder.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a requirement for this Committee to approve policies in respect of Hackney Carriage and Private Hire Licence Holders.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

- 3.1 On 12 October 2016 Members of this Committee adopted a revised Statement of Policy and Guidelines relating to the Relevance of Convictions in relation to the criteria applicable when considering the fitness and propriety of an individual in respect of their application for the grant of a Private Hire or Hackney Carriage Driver Licence when the applicant has committed an offence or offences.
- 3.2 There is currently no policy in force relating to guidance on the criteria applicable when considering the fitness and propriety of a Private Hire or Hackney Carriage Licence Holder when the licence holder has committed offences or failed to maintain the standards expected of a licence holder.
- 3.3 In the absence of a policy relating to criteria applicable when considering the fitness and propriety of current licence holders the revised Statement of Policy and Guidelines relating to the Relevance of Convictions for new applicants is currently referred to by officers and Members of the Licensing Panel.
- 3.4 Officers have conducted a consultation exercise with other authorities across Merseyside with a view to developing a more consistent approach in relation to how local authorities deal with licence holders who have committed an offence or acted in such a manner that gives a cause for concern in respect of their fitness and propriety to hold a licence..
- 3.5 The policy has been developed to provide guidance to licence holders in respect of the standards of conduct that is expected of them as licence holders and to set out the action that may be taken should a licence holder commit an offence whilst holding a licence or fail to maintain the standards expected of a licence holder or undertake any actions that may raise doubt regarding the fitness and propriety of a current licence holder.
- 3.6 The draft policy relating to the conduct of Private Hire and Hackney Carriage licence holders will be provided to Members ahead of the meeting.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 A decision of this Committee can be subject to legal challenge.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RISKS

7.1 There are Community Safety implications as hackney carriage and private hire licence holders should be fit and proper persons when granted a licence and throughout its duration due to their involvement with the general public.

8.0 ENGAGEMENT/CONSULTATION

8.1 The draft policy will have been shared with representatives of the Private Hire and Hackney Carriage Trade.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

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APPENDICES

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date