



LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

18 MARCH 2020

REPORT TITLE	REVIEW OF PRIVATE HIRE OPERATOR LICENCE CONDITIONS
REPORT OF	DIRECTOR OF GOVERNANCE AND ASSURANCE

REPORT SUMMARY

The purpose of this report is for the Committee to consider revised Private Hire Operator Licence Conditions. Amendments to the conditions relate particularly to the recording of complaints, staff employed by the Operator and booking records.

This matter affects all Wards within the Borough.

RECOMMENDATION/S

That the Committee approve the revised Private Hire Operator Licence Conditions in Appendix 1 of the report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 A review of the current Private Hire Operator Licence Conditions has been undertaken as it is considered necessary and appropriate to amend the conditions in order to promote a higher level of public safety and ensure that the conditions are clear. The revised conditions have been developed in consultation with colleagues in the City Region Authorities and it is proposed that the revised conditions are adopted by each of the authorities to promote consistency across the City Region.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 It is considered both necessary and appropriate to revise the current Private Hire Operator conditions, therefore it is not considered an option not to revise the conditions.

3.0 BACKGROUND INFORMATION

- 3.1 A review of the current Private Hire Operator Licence Conditions has been undertaken. The aim of the review was to ensure that the licensing conditions were updated to take into account changes in technology and to provide effective protection for members of the public.
- 3.2 The review has been undertaken having regard to draft Statutory Guidelines entitled Taxis and Private Hire Vehicle Licensing: Protecting Users.
- 3.3 The amendments that have been made particularly relate to booking records, the recording of complaints and requirements relating to staff employed by the Operator.
- 3.4 The draft document has been subject to consultation with licensed Private Hire Operators and the other Licensing Authorities in the City Region.
- 3.5 Following this consultation a final draft document has been developed incorporating feedback received from this consultation and this is attached at Appendix 1.

4.0 FINANCIAL IMPLICATIONS

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

5.0 LEGAL IMPLICATIONS

- 5.1 Section 55(3) of the Local Government (Miscellaneous Provisions) Act 1976 provides that a district council may attach to the grant of a licence such conditions as they may consider reasonably necessary.

6.0 RESOURCE IMPLICATONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 It is intended that the revised conditions will provide an increase in the level of protection to the public using the services of a Private Hire Operator therefore there is a risk to public safety should the revised conditions not be approved.

8.0 ENGAGEMENT/CONSULTATION

8.1 The guiding principles for a fair consultation can be summarised as follows:

- It should be at a time when proposals are at a formative stage;
- Must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response;
- Those consulted should be made aware of the factors that are of decisive relevance to the decision;
- Adequate time should be given for consideration and response;
- The product of the consultation should be conscientiously taken into account by the decision makers in finalising their statutory proposals when the ultimate decision is taken.

8.2 Consultation has taken place with licensed Private Hire Operators through two separate meetings over a period of two months between 6 January 2020 and 25 February 2020. A table showing a summary of the feedback received and action taken in response to the feedback is attached at Appendix 2.

9.0 EQUALITY IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

The revised conditions will improve the level of protection to all members of the public.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The operating of Private Hire Vehicles does contribute to the emission of harmful tailpipe pollutants such as particulates (soot), volatile organic compounds, hydrocarbons, carbon monoxide, ozone, lead, and various oxides of nitrogen.

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APPENDICES

Appendix 1 – Draft Private Hire Operator Licence Conditions

Appendix 2 – A summary of the feedback received from Private Hire Operators

BACKGROUND PAPERS

Taxi and Private Hire Vehicle Licensing: Protecting Users - Statutory Guidance for Licensing Authorities

Current Private Hire Operator Conditions

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Health and Safety and General Purposes Committee	25 November 2015 21 March 2018