

**LICENSING
COMMITTEE**

23rd March 2015

**REQUEST FROM BROMSGROVE TAXI ASSOCIATION FOR CHANGES
TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICIES**

Relevant Portfolio Holder	Councillor Rita Dent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ivor Pumfrey – Acting Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

The Licensing Committee has previously considered a report submitted by the Chairman of Bromsgrove Taxi Association in which a number of changes to the Council's current policies and procedures relating to hackney carriage and private hire licensing were proposed.

These changes have been discussed at trade forums and officers are now seeking approval to carry out formal consultation on a number of proposed changes to the Council's existing policies and procedures relating to hackney carriage and private hire licensing.

2. RECOMMENDATIONS

Members are asked to RESOLVE;

Whether or not to instruct Worcestershire Regulatory Services to carry out formal consultation on a number of proposed changes to the Council's existing policies and procedures relating to hackney carriage and private hire licensing as set out in the draft consultation document at Appendix 2.

3. KEY ISSUES

Financial Implications

- 3.1 The costs involved in carrying out the consultation would be met from existing budgets held by Worcestershire Regulatory Services.

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Legal Implications

- 3.2 The Council's current policies in relation to the operation of Private Hire Licences and Hackney Carriage Licences are set out in the Taxi Handbook and associated guidance issued by the Council. There are currently no scheduled reviews due to be undertaken in relation to the Council's policies, although officers ensure that the policies are continually kept up to date to reflect any relevant changes in legislation.
- 3.4 It is worth noting that there are some legislative changes to the rules around Private Hire and Hackney Carriage licensing which will come into effect as part of the Deregulation Bill. The Bill is currently progressing through Parliament and it is not known when it will receive the Royal Assent, although it would be expected before May 2015.

Service / Operational Implications

- 3.5 At its meeting held on 10th November 2014 the Licensing Committee considered a report submitted by the Chairman of Bromsgrove Taxi Association in which a number of changes to the Council's current policies and procedures relating to hackney carriage and private hire licensing were proposed.
- 3.6 The Committee resolved to note the report and tasked officers with setting up trade forums to discuss the ideas more widely before bringing proposals and a consultation document back to the Committee for comment.
- 3.7 A trade forum was arranged and took place on 5th February 2015 at which the proposals contained in the Taxi Association report were discussed. A further forum took place on 5th March 2015. In total 35 people attended one of other of the forums.
- 3.8 The proposed changes to policy were discussed and **Appendix 1** contains a summary of the general response from those attending the forums, to each of the proposals under consideration.
- 3.9 It is perhaps unsurprising that existing licence holders have concerns about, and are not generally supportive of, changes to policy that would have an adverse financial impact on them, for example by requiring them to spend more money on a replacement vehicle when their reaches the Council's standard upper age limit for licensed vehicles.

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- 3.10 Whilst the forums were a very useful exercise and reasonably well attended, officers would now like to carry out formal written consultation on the proposed amendments to policies and procedures with all existing licence holders and interested groups. This would allow for a wider range of views to be expressed and considered by the Committee before it decides how it wishes to proceed.
- 3.11 A draft consultation document has been prepared for this purpose and can be seen at **Appendix 2**.
- 3.12 Members are asked to decide whether to instruct Worcestershire Regulatory Services to carry out formal consultation on proposed changes to the Council's existing policies and procedures relating to hackney carriage and private hire licensing as set out in the draft consultation document.
- 3.13 Consultation would take place over a period of at least twelve weeks during which further open forums would be held with the licensed trade and other interested parties to further explain the proposals being considered and help people to respond to the consultation.
- 3.14 All responses received during the consultation exercise would be reported back before the Licensing Committee later this year before any decisions are taken as to whether to proceed with any of the proposals being considered.
- 3.15 Whilst officers recognise that the Deregulation Bill contains two clauses relating to hackney carriage and private hire licensing, it is felt that the proposals being considered by the Council would not be materially affected by the clauses in the Deregulation Bill. As such there is no obvious reason to delay in carrying out consultation on the proposed changes to policy and procedure at this stage.
- 3.16 Indeed by the time consultation on the proposals is completed, the Deregulation Bill should have received Royal Assent and any changes this legislation will require to the Council's policies and procedures can be incorporated at the same time.

4. RISK MANAGEMENT

- 4.1 The risks identified by this report relate to the Council either acting too hastily to change policy or choosing to disregard the issues raised by the taxi drivers through Bromsgrove Taxi Association. These risks are being managed by the approach of seeking more information from the trade and considering all the relevant implications, including forthcoming legislative changes, and carrying out formal consultation before deciding whether to proceed with making any changes.

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5. APPENDICES

Appendix 1 – Summary of General Responses at Forums
Appendix 2 – Draft Consultation Document

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