

## Report of Chief Officer Elections Licensing and Registration

### Report to Licensing Committee

Date: 11<sup>th</sup> March 2014

### Subject: Communication and Consultation with the Taxi and Private Hire Trade

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### Summary of main issues

1. In May 2013 Licensing Committee set up a Member Working Group to discuss a range of issues including communications and consultations with the Taxi and Private Hire trade. The Group met on six occasions including meetings with representatives from the Hackney Carriage and Private Hire trades.
2. Good relationships with all parts of the trade are essential if Licensing Committee is to fulfil its responsibilities for the safety, comfort and quality of service for the travelling public. Previous requests from the trade for representatives to sit on the Committee have been refused because the legislation relating to Licensing Committees does not allow it.
3. The report sets out some of the current arrangements for communicating and consulting with the trades and concludes that these are comprehensive and we should encourage all licence holders to use those channels. There were suggestions that relationships have been improving and we want to continue to develop them.
4. The use of Working Groups to review and develop policies with the involvement of trades representatives has been successful and should be used in future. Officers should continue to be proactive in listening to trade views and including comments in reports to Committee.

### Recommendations

5. Licensing Committee are asked to note and endorse the Working Group conclusions relating to communication and consultation with the Taxi and Private Hire trades

## **1 Purpose of this report**

- 1.1 This report follows discussions at a Member Working Group set up in May 2013 set up to consider a range of issues including communication and consultation with the Taxi and Private Hire trade.
- 1.2 The report sets out the current arrangements, provides information on the discussions which took place and sets out the conclusions of the Working Group for the full Licensing Committee's consideration.

## **2 Background information**

- 2.1 A Member Working Group was set up in May 2013 to look at the issue of length of issue of Taxi and Private Hire licenses. At the first meeting of the group in June 2013 it was agreed that the group should also look at the 'fit and proper person test' for the transfer of Hackney Carriage Proprietors applicable on the death of the Proprietor, the question of whether to permit third part renewals of licences and mechanisms for communicating and consulting with the Taxi and Private Hire Trade.
- 2.2 The Working Group met on six occasions including some very useful meetings with representatives of the Hackney Carriage, Private Hire trades, and other elected Members outside Licensing Committee. This report briefly summarises issues relating to communicating and consulting with the trade. Reports elsewhere on this agenda outline the conclusions of the Working Group in relation to the other matters.
- 2.3 The issue of consulting and communicating with the trades has been raised and discussed on a number of occasions. There have been requests from the trade to play a more active part in Licensing Committee and Members have been keen to ensure that it listens to issues and concerns expressed by the various different elements of the trades.
- 2.4 It is recognised that the Licensing Committee's prime responsibility is for the safety, comfort and quality of service for the travelling public and this can, on occasions, lead to different views from representatives of the trade. However, it is clear that good working relationships between the Licensing Committee, Officers and the trades is essential to the provision of a high quality service to the travelling public.

## **3 Current Arrangements**

- 3.1 In terms of trade representative participation on Licensing Committee this matter has been given careful consideration previously. The City Solicitor has concluded that it is not possible to have co-opted Members on Licensing Committee or any Licensing Sub-Committee. The legislation makes it clear that the Licensing Committee must consist of between 5 and 15 Members of the Authority.
- 3.2 This does not prevent Licensing Committee from listening to the views of others in determining the matters before it. The Chair has discretion on who should be allowed to speak and present to the Committee. The practical difficulty is that the

Taxi and Private Hire trade is made up of many different groups, companies and individuals who all have different and sometimes competing interests. It is difficult at a time limited Committee meeting to hear the views of all. The Committee meetings are public meetings and can be attended by anyone interested in listening to the discussion and deliberations prior to decision making.

- 3.3 The Council does have a Hackney carriage Trade Forum set up specifically to provide a forum for joint consultation and discussion on matters of mutual concern. The arrangements were comprehensively reviewed in July 2011 with the introduction of a formal constitution, clear criteria for membership and administrative arrangements. It meets regularly to an agreed schedule with a minimum of four meeting per annum.
- 3.4 There is a Private Hire Operators Forum which also meets regularly with an open invitation to all licensed Private Hire Operators.
- 3.5 Licensing Committee has been progressing a review of all its Taxi and Private Hire related policies and is doing so has been mindful of the need to consult all relevant stakeholders on all aspects of the review. A clear programme for consultation which includes:
- An initial request for views on how current policy is operating
  - Results of consultation reported to Licensing Committee summarising the view expressed with initial recommendations for change. All submissions are made available to Committee in an appendix to the report or as background papers.
  - Licensing Committee considers all views and recommendations and decides which changes it wants further consultation on
  - Proposed changes are put out for consultation
  - Results of consultation reported to Licensing Committee summarising the views expressed with final recommendations for change. All submissions are presented to Committee in an appendix to the report.
  - Licensing Committee considers all views and recommendations and approves the new policy
- 3.6 All consultation exercises are carried out using Talking Point (the Council's online consultation mechanism), putting information on the Council's Internet site and Insite (the Council's internal intranet). A letter goes to all known trade representatives seeking views and a notice is published in the local press. Where timing allows an article will appear in the Taxi and Private Hire Newsletter.
- 3.7 The Taxi and Private Hire Newsletter is published four times a year and sent out to all Taxi and Private Hire licence holders. It contains articles and information relevant to the trade including contacts for queries and how to raise issues of concern. This is an excellent vehicle for communicating information to all parts of the trade.

3.8 Officers do respond on a regular basis to issues raised by licence holders through letter, email, telephone and face to face. Drivers are encouraged to contact the Taxi and Private Hire Section if they have any problems or issues of concern.

#### **4 Working Group Views**

4.1 The Working Group accepted the City Solicitor advice that it was not possible to accommodate the request for trade representatives to be part of the Licensing Committee.

4.2 The Working Group meetings held with representatives of the trades were very helpful in determining how best to develop the policy issues under discussion and it was agreed that such meeting should be used and encouraged in future.

4.3 The current communication and consultation arrangements are comprehensive and work reasonably well. All representatives should be encouraged to use the various facilities available to them to express their view and concerns. It is particularly helpful to receive written submissions to any of the formal consultation exercises.

4.4 Best use should be made of the Hackney Carriage and the Private Hire Operator Forums through careful agenda planning to ensure all relevant issues are covered. Also minutes of the meeting should be circulated to Members of the Licensing Committee for their information.

4.5 Where there are major change proposals and where the trade are able to nominate a representative to speak on their behalf the Chair's discretion should be used to allow that person to address the Committee.

#### **5 Corporate Considerations**

##### **5.1 Consultation and Engagement**

5.1.1 The subject of this report is about consultation and engagement. The current consultation arrangements referred to in the report have been used to seek and discuss views before coming to the conclusions in section 4.

##### **5.2 Equality and Diversity / Cohesion and Integration**

5.2.1 An Equality Screening Assessment has been completed and is available as a background document.

##### **5.3 Council policies and City Priorities**

5.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

**Best Council Plan 2013 -17**

**Towards being an Enterprising Council**

**Our Ambition and Approach**

**Our Ambition** is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

**Our Approach** is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

### **Our Best Council Outcomes**

Make it easier for people to do business with us

### **Our Best Council Objectives**

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs,
- Boosting the local economy
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time
- Improving customer satisfaction

5.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

5.3.3 Safeguarding children and vulnerable adults:

Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and vulnerable adults across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff who play a part in the lives of children or vulnerable adults.

## **5.4 Resources and value for money**

5.4.1 There are no resource implications.

## **5.5 Legal Implications, Access to Information and Call In**

5.5.1 The legal issue relating to the Membership of Licensing Committee has been considered by the City Solicitor previously. The recommendations in the report would not be subject to call-in.

## **5.6 Risk Management**

5.6.1 There are no major risks associated with this report.

## **6 Conclusions**

- 6.1 The Working Group has reviewed the arrangements for communicating and consulting with the Taxi and Private Hire trades. Licensing Committee is responsible for the safety, comfort and quality of service for the travelling public and to do this it is essential that there are good working relationships between the Committee, Officers and the different parts of the Taxi and Private Hire trades.
- 6.2 Previous requests from the trade for representatives to sit on the committee have been considered but refused on the grounds that the legislation relating to Licensing Committee means it is not possible to have co-opted Members.
- 6.3 Good comprehensive arrangements are in place currently and discussions with representatives suggested that there has been a steady improvement in relationships between the Council and the trades. It is important to continue to develop and improve the relationships.
- 6.4 The Working Group concluded that we should encourage trade representatives and licence holders to use the various formal consultation mechanisms. The use of Working Groups to review and develop policies with the involvement of trade representatives has been successful and should be used in future. Officers should continue to be proactive in listening to trade views and including comments in reports to the Committee.

## **7 Recommendations**

7.1 Licensing Committee are asked to note and endorse the Working Group conclusions relating to communication and consultation with the Taxi and Private Hire trades

## **8 Background documents<sup>1</sup>**

8.1 Equality Impact Screening assessment 18<sup>th</sup> February 2014

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.