

Report of Head of Licensing and Registration

Report to Licensing Committee

Date: 11 March 2014

Subject: Arrangements for Licensing Committee Working Group to review the Vehicle Age Policy, Immediate Suspension for Plying for Hire and TPH Licensing Decision Making Framework

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

- Licensing Committee have decided to refer a number of taxi and private hire policy issues to a new Working Group to review and make recommendations back to the full committee. These issues include: -
 - Vehicle Age Policy
 - Immediate Suspensions for Plying for Hire
 - Taxi and Private Hire (TPH) Licensing Decision Making Framework
- The report sets out the background to the requests for these three issues and asks the committee to nominate which members will form the new Working Group so that a timetable and meeting schedule can be agreed.

Recommendations

- Licensing Committee are asked to confirm the issues the new Working Group will consider, which Members will sit on it, and agree a timetable and schedule of meetings for the group

1 Purpose of this report

- 1.1 This report sets out the background to the decision to refer the Vehicle Age policy, Immediate Suspension for Plying for Hire and TPH Licensing Decision Making Framework to a new Working Group for review.

2 Background information

2.1 Vehicle Age Policy

- 2.1.1 In October 2013 a petition was received organised by the Alpha Hire and Hackney Welfare Society by the Licensing Committee asking, amongst other issues, for a review of the Vehicle Age Policy. The petition was considered by Licensing Committee at its meeting on 12 November 2013.
- 2.1.2 Licensing Committee last considered the Vehicle Age policy in January 2013 as part of a review of all taxi and private hire policies and at the time decided to retain the current age criteria at 7 years. The committee also requested that a further period of vehicle profiling be carried out so that a review of the entire vehicle fleet could be used to inform a review of the vehicle age criteria in 2016.
- 2.1.3 Following consideration of the petition the Committee resolved to request that an update on the progress on the vehicle profiling exercise be provided to a new Member Working Group to consider whether that review could be undertaken sooner than 2016. Minute 71(a) refers: -

71(a) That in respect of the vehicle age criteria, to request that information be provided to the Hackney Carriage Private Hire Working Group on the outcome of the fleet profile review undertaken so far.

2.2 Immediate Suspension for Plying for Hire

- 2.2.1 At that same meeting on 12 November 2013, the committee also considered the introduction of the Immediate Suspension policy. The discussion of that policy also included a discussion of the requirements for immediate suspension for cases involving plying for hire. The committee resolved that this element of the policy should be reviewed by a new Member Working Group. Minute 70(d) refers:-

70(d) That the element of the draft Policy in respect of immediate suspension for plying for hire be removed from the draft Policy and be referred to the Licensing Committee Hackney Carriage and Private Hire Working Group for further consideration. A report back from the WG will be presented in due course to the Committee.

2.3 TPH Licensing Decision Making Framework

- 2.3.1 At the Licensing Committee meeting on 14 January 2014, the committee considered a report on delegated decisions taken by taxi and private hire licensing. As a result of that discussion, the committee asked for a copy of a previous report when the committee last reviewed the decision making framework in March 2012 be re-circulated. That report was circulated to all Members of the

committee for their information as requested. The committee resolved to refer the current TPH Licensing Decision Making Framework to a new Working Group to consider whether any changes were required to the existing policy. Minute 93(iii) from that meeting refers: -

93(iii) That any proposals for review be added to the Taxi and Private Hire Working Group's agenda for further discussion and the formulation of recommendations which would be brought back to full Licensing Committee in due course.

- 2.4 It was decided that an earlier working group should complete its workⁱ before a new Working Group could be established to review the issues outlined in this report. The first Working Group has now finished its work and reported its recommendations back to committee, so a second working group can now be established to review these three new issues.
- 2.5 The first working group has also completed an initial review of the three new issues and has recommended that the reviews of the Vehicle Age policy and Immediate Suspension for Plying for Hire should proceed, but has also recommended in light of the comprehensive review of the TPH Licensing Decision Making Framework that was undertaken in March 2012, that does not need to be reviewed at this time.
- 2.6 The Licensing Committee will need to agree which Members sit on the new working group, which issues the group should review (taking account of the recommendations from the first working group at 2.5), what the time table for the review will be, and schedule in an appropriate number of meetings.

3 Corporate Considerations

3.1 Consultation and Engagement

- 3.1.2 Views from the trade and other stakeholders can be considered by the working group as part of their wider consultation arrangements before they form their recommendations back to Licensing Committee.

3.2 Equality and Diversity / Cohesion and Integration

- 3.2.1 Equality Screening Assessments will be completed on any new policy proposals.

3.3 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

3.3.2 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

3.3.3 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.

3.4 Resources and value for money

3.4.1 There are no resource implications.

3.5 Legal Implications, Access to Information and Call In

3.5.1 Legal Services will be asked to attend meetings of the working group to provide advice to Members as necessary. The recommendations in this report would not be subject to call-in.

3.6 Risk Management

3.6.1 There are no major risks associated with this report.

4 Conclusions

4.1 The Licensing Committee has requested a new working group be established to review these three issues.

5 Recommendations

5.2 Licensing Committee are asked to confirm the issues the new Working Group will consider, which Members will sit on it, and agree a timetable and schedule of meetings for the group.

6 Background documents¹

6.1 None

ⁱ The earlier Working Group was formed to review whether to introduce three year licences; whether to allow third party renewals; the fit and proper person test for hackney carriage proprietors; and improving consultation with the trade. The Working Group's recommendations were reported back to Licensing Committee at its meeting on 11 March 2014.

¹ 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.