

Report of the Head of Licensing and Registration

Report to Licensing Committee

Date: 16 October 2012

Subject: **Taxi and Private Hire Licensing Policy Review – Results of Public Consultation for the application process, the medical exemption policy, stretched limousine conditions (driver, operator & vehicle) and private hire driver conditions**

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 checked="" type="checkbox"/> Yes	<input 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. Licensing Committee asked officers to carry out a review of existing taxi and private hire licensing policies. This review was broken down into three distinct groups of policies. The first group of policies has now completed its public consultation.
2. Results of the consultation are attached for Members' consideration and discussion before determining whether any changes are required to the policies.

Recommendations

3. That there be no change to the current application process and that the next time the process is reviewed will be in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.
4. That there be no change to the existing medical exemption policy and that the next time the policy is reviewed will be in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.
5. That there be no change to the existing stretched limousine conditions (driver, operator & vehicle) and that the next time the conditions are reviewed will be in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.

6. That the proposed changes to the private hire driver conditions as detailed in appendix C be agreed and approved as a significant operational delegated decision..

1 Purpose of this report

- 1.1 For Members to consider the results of the public consultation.
- 1.2 For Members to determine whether any change is required to existing policies.

2 Background information

- 2.1 All council policies should be subject to regular review, to ensure they remain appropriate in response to changes in legislation, best practice, council priorities or circumstances and remain fit for purpose.
- 2.2 Licensing Committee asked officers to carry out a review of all existing taxi and private hire licensing policies. This review was broken down into three distinct groups of policies as follows: -
 - Group 1 (the subject of this report): the application process, the medical exemption policy, stretched limousine conditions (driver, operator & vehicle) and private hire driver conditions.
 - Group 2: Private hire vehicle conditions including wheelchair accessible vehicles, vehicle age criteria, livery signs and markings; Hackney carriage vehicle conditions including wheelchair accessible vehicles, vehicle age criteria, livery signs and markings; Hackney carriage byelaws; plying for hire policy; executive private hire conditions.
 - Group 3: Private hire operator conditions; private hire vehicle proprietor including rental companies; convictions criteria.
- 2.3 The first group of policies has now completed its second round of public consultation and the results of that consultation are included in this report for Members' consideration before determining whether any change is required to the existing policies. Group 2 and Group 3 will be reported to a future meeting of Licensing Committee.

3 Main issues

3.1 The application process

- 3.1.1 The results of the first public consultation in 2011 are attached at appendix A. The results of the second public consultation in 2012 and officer comments in response are included in appendix B.
- 3.1.2 Officers recommend there be no change to the existing process and it next be reviewed in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.

3.2 The medical exemption policy

3.2.3 The results of the first public consultation in 2011 are attached at appendix A. The results of the second public consultation in 2012 and officer comments in response are included in appendix B.

3.2.4 Officers recommend there be no change to the existing policy and it next be reviewed in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.

3.3 Stretched limousine conditions (driver, operator & vehicle)

3.3.5 The results of the 2011 consultation are attached at Appendix A. There were no further comments received in response to the second public consultation in 2012 and officers have no recommendations for changes to the existing policy.

3.3.6 Officers therefore recommend there be no change to the existing policy and the conditions next be reviewed in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.

3.4 Private hire driver conditions

3.4.1 The proposed changes to the existing conditions are attached at appendix C. Changes are highlighted in green text. The results of the first public consultation in 2011 are attached at appendix A. The results of the second public consultation in 2012 and officer comments in response are included in appendix B.

3.4.2 Officers recommend that the proposed changes detailed in appendix C are agreed and the conditions next be reviewed in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.

4 **Corporate Considerations**

4.1 **Consultation and Engagement**

4.1.3 The first consultation was carried out in 2011. Results of this consultation were used to inform any proposals for change for each of the policies. A further consultation period ran from 18 May 2012 to 13 July 2012 on these proposals. The results are attached at appendices A, B and D as indicated earlier in this report.

4.2 **Equality and Diversity / Cohesion and Integration**

4.2.1 A full equality and cohesion screening has taken place on each of the policies and are available as background documents.

4.3 Council policies and City Priorities

4.3.1 Taxi and private hire licensing policies support the following elements of the Vision for Leeds: -

- Leeds' economy will be prosperous and sustainable, specifically high quality accessible, affordable and reliable public transport and making Leeds a lower carbon city;
- Leeds' communities will be successful, specifically that there are more community-led businesses that meet local needs; and
- Best City for Children, specifically helping ensure children are safe from harm.

4.3.2 Taxi and private hire licensing policies also support the following City Priorities: -

- Best City for Business, specifically improving journey times and the reliability of public transport and improve the environment through reduced carbon emissions; and
- Best City for Communities, specifically reduce crime levels and their impact across Leeds.

4.4 Resources and value for money

4.4.1 The only changes recommended in this report are minor changes to the private hire driver conditions which do not create any additional resource requirements or costs.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The Local Government (Miscellaneous Provisions) Act 1976 gives the council authority to determine policy and conditions for hackney carriage and private hire drivers, proprietors and operators.

4.6 Risk Management

4.6.1 There is always a risk of challenge by way of Judicial Review at point of approval or when applied to an individual.

5 Conclusions

5.1 That a full and thorough public consultation has been carried out on these policies which has been properly considered before any changes considered.

6 Recommendations

6.1 That there be no change to the current application process and that the next time the process is reviewed will be in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.

- 6.2 That there be no change to the existing medical exemption policy and that the next time the policy is reviewed will be in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.
- 6.3 That there be no change to the existing stretched limousine conditions (driver, operator & vehicle) and that the next time the conditions are reviewed will be in 2017 and every 5 years thereafter, unless any change in circumstances requires the policy to be reviewed at an earlier date.
- 6.4 That the proposed changes to the private hire driver conditions as detailed in appendix C be agreed and approved as a significant operational delegated decision.

7 Background documents¹

- 7.1 Local Government (Miscellaneous Provisions) Act 1976
- 7.2 Equality and Cohesion Screening Assessments

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.