

**COLCHESTER BOROUGH COUNCIL  
LICENSING COMMITTEE  
29 August 2018 at 18:00**

**SUPPLEMENTARY AGENDA  
Part A**

(open to the public including the media)

**7. Hackney Carriage and Private Hire Licensing Policy**

Following publication of the agenda further changes and corrections to the Policy are required. The changes relate to fully wheelchair adapted hackney carriage vehicles and to the operator licensing standards in relation to Sub-Contracting and Cross Border working; the changes are detailed in paragraphs 5.2 – 5.5 of the report.

The Committee is asked to consider further changes to the Hackney Carriage and Private Hire Licensing Policy including the Policy in relation to CCTV and to approve a further period of consultation.

29 August 2018

Report of	Assistant Director (Environment)	Author	Jon Ruder ☎ 282840
Title	Hackney Carriage & Private Hire Licensing Policy - Supplementary		
Wards affected	Not applicable		

**1. Executive Summary**

- 1.1 Following publication of the agenda further changes and corrections to the Policy are required. The changes relate to fully wheelchair adapted hackney carriage vehicles and to the operator licensing standards in relation to Sub-Contracting and Cross Border working; the changes are detailed in paragraphs 5.2 – 5.5 of the report.

**2. Recommended Decision**

- 2.1 To consider and approve the proposed amendments to the Policy, in addition to those already set out in Agenda Item 7, as set out in Paragraphs 5.2 to 5.5 of this report.

## 5. Detailed Considerations

5.1 The following changes should be applied –

### 5.2 Hackney Carriage & Private Hire Licensing Policy – Paragraph 4.23

Delete paragraph 4.23 and replace with the following -

Any vehicle to be used as a hackney carriage on plates **200 to 232 (currently plates 98 to 131 with the exception of plates 105 and 111)** must be fully wheelchair adapted; this means having the facility to load and unload wheelchairs directly into the vehicle. All new vehicles on these plates must be adapted; this includes vehicles on renewal.

5.3 Annex 2 – Hackney Carriage Vehicles Licensing Standards and Conditions – deletion of the following –

- any vehicle to be used as a hackney carriage on plates **200 to 224 (currently plates 98, 99, 100, 101, 103, 104 and 114 to 131)** must be fully wheelchair adapted; this means having the facility to load and unload wheelchairs directly into the vehicle.

To be replaced by –

- any vehicle to be used as a hackney carriage on plates **200 to 232 (currently plates 98 to 131 with the exception of plates 105 and 111)** must be fully wheelchair adapted; this means having the facility to load and unload wheelchairs directly into the vehicle. All new vehicles on these plates must be adapted; this includes vehicles on renewal.

5.4 **Annex 4 - Operator Licensing Standards and Conditions** – the deletion of Paragraph 5 and the inclusion of the following alternative paragraph.

### 5. Sub-Contracting and Cross Border Working

5.1 Where you accept a booking and then are subsequently unable to honour it, or if you do not have a vehicle immediately available, the booking may be sub-contracted to another operator either in Colchester or elsewhere. It is against the law for you to pass bookings directly to a private hire vehicle or driver who is not licensed by the same Council as you.

5.2 If you have offices or bases in multiple council areas (for which you will need licences from each Council concerned) you can pass bookings between your offices/bases, but cannot give jobs directly to drivers licensed by the other council(s). You will also need to maintain separate records for each council area, which also show every job that has been contracted to or from another office. In these circumstances you must –

- a) charge the fare agreed at the time of booking.
- b) keep a record of the initial booking details for audit purposes.
- c) contact the hirer to advise that the booking can no longer be honoured and to ask whether or not they wish the booking to be sub-contracted to an alternative private hire operator.
- d) identify an alternative private hire operator and advise the original hirer of that operator's details.

- e) provide full details of the booking to the alternative private hire operator and keep a record of the private hire operator to whom the booking was sub-contracted.
- f) keep a record of the alternative private hire operator's licence details as follows-
  - i) name of the issuing authority
  - ii) licence number
  - iii) grant date of the licence
  - iv) expiry date of the licence.
- g) make all records available for inspection on request of an authorized officer of the Council or Police officer.

5.3 You may sub-contract jobs to hackney carriage proprietor, although this must remain a minority part of the overall work undertaken by the hackney carriage vehicle.