

17 January 2018

Report of	Assistant Director (Environment)	Author	Jon Ruder ☎ 282840
Title	Hackney Carriage and Private Hire Licensing Policy		
Wards affected	All		

1. Executive Summary

- 1.1 The Committee is asked to consider further changes to the Hackney Carriage and Private Hire Licensing Policy prior to a further period of consultation.

2. Recommended Decision

- 2.1 To consider and approve the proposed amendments to the Policy.

3. Reason for Recommended Decision

- 3.1 The Policy has been amended following the Committee's consideration, in November 2017, of the points raised during the public consultation.

4. Alternative Options

- 4.1 To leave the policy unchanged but this would leave it unfit for purpose.

5. Background Information

- 5.1 On 29 November 2017 the Licensing Committee considered the outcome of a consultation exercise, in the form of a table of responses and proposed amendments, on the draft Hackney Carriage and Private Hire Licensing Policy. These amendments and further suggestions for improvement have now been considered and changes made to the Policy. The draft Policy is brought to the Committee for approval prior to a further shorter period of consultation and its consideration by full Council.
- 5.2 A further shorter period of consultation is considered necessary because a small number of key changes have been made to the Policy. The changes are printed in bold black type in the Policy attached at Appendix 1. The key points include –
- Specific paragraphs dealing with the issue of probationary licences
 - The inclusion of examples in relation to the penalty point and convictions policy.
 - Suspension of drivers who don't complete the required Mandatory training.
 - Introduction of annual medical for drivers after the age of 65 irrespective of their renewal date.
 - Revocation of a licence if the driver is not found to be fit to drive.
 - The awarding of 4 points for failing to tell the Council of a conviction etc. together with the addition of the points for the offence committed.
- 5.3 Whilst the Policy contains details of the Council's stance on CCTV this is a matter that is the subject of ongoing work and this element will be reported back to the Committee when this work is complete. It is intended to implement the Policy without this element in place and to introduce this at a slightly later date following further consultation. Work is also ongoing to identify suppliers in relation to safeguarding training and driver assessments. These elements of the policy will be introduced when this work has been completed.
- 5.4 The outcome of the consultation will be reported back to the Committee where appropriate prior to the matter being reported to full Council in February 2018.

6. Equality, Diversity and Human Rights implications

- 6.1 The draft Policy has been developed in accordance with and taken account of, all relevant legislation and national and local strategies.

7. Strategic Plan References

- 7.1 The Policy aims to contribute to the Council's vision of the Borough by ensuring that the licensed trade plays a significant role not only in the Borough's transport strategy but also in helping to promote Colchester and thereby enhancing our reputation as a destination and encouraging further investment.

8. Publicity Considerations

- 8.1 The draft revised policy was the subject of an extensive consultation process. However, as the proposed changes include a number of small amendments to key pieces of the Council Policy such as the introduction of an annual medical after the age of 65, it is considered necessary to carry out a further consultation process for approximately 4 weeks. A copy of the draft revised policy will be placed on the Council's website.

9. Financial Implications

- 9.1 There may be costs incurred in defending any action brought against the Council which seeks to judicially review the policy. However, having consulted extensively it is thought such a challenge is unlikely.

10. Community Safety Implications

- 10.1 The policy deals with the protection of children and vulnerable adults.

11. Health and Safety Implications

- 11.1 There is no known direct public health and safety issues which might arise from the adoption of the revised Policy.

12. Risk Management Implications

- 12.1 A flexible yet robust revised Policy will continue to provide both the Council with a sound basis for decision making.