
Meeting: Regulation Committee
Date: 24 February 2010
Subject: Hackney Carriage and Private Hire Requirements
Report of: Gary Alderson – Director of Sustainable Communities
Summary: The report proposes the adoption of the requirements necessary to obtain hackney carriage and private hire licences.

Contact Officer: Margaret James, Licensing and Enforcement Officer
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

Supporting and Caring for an ageing population – provision of safe public transport supports independent living.

Educating protecting and providing opportunities for children and young people - provision of safe public transport allows children and young people to travel to educational and other activities in a safe environment.

Creating safer communities – the provision of regulated public transport helps ensure a vibrant and safe night time economy.

Financial:

Fees are payable for this type of licence, the fees being charged represent the cost to the Council of producing this type of licence.

Legal:

Local Government (Miscellaneous Provisions) Act 1976.
Town Police Clauses Act 1847.

Risk Management:

Ensuring that Hackney Carriage and Private Hire drivers operating in Central Bedfordshire are safe and properly regulated.

Staffing (including Trades Unions):

There are no staffing implications.

Equalities/Human Rights:

The Council has a legal duty to proactively promote race, gender and disability equality and to tackle discrimination experienced by other vulnerable groups. In order to ensure the personal safety of all vulnerable groups wishing to use licensed vehicles, conditions attached to licences ensure that this duty is met.

Community Safety:

Contributes to a safer public transport system and a safer night time economy. The Council has a statutory duty under Section 17 of the Crime and Disorder Act to do all that it reasonably can to reduce crime and disorder in its area. The provision of safe, well regulated transport contributes to this duty and in order to ensure that drivers of Hackney Carriage and Private Hire Vehicles are 'fit and proper' to hold a licence rigorous checks must be undertaken.

Sustainability:

By regulating this service area we can ensure that those businesses who are compliant can be supported and resources can be focused at those businesses that will not comply.

RECOMMENDATION(S):

1. **That the Regulation Committee approve the various requirements to obtain a Hackney Carriage or Private Hire Licence as set out in the Application Forms and Guidance notes for:**
 - (a) **A Private Hire Operators Licence and renewal.**
 - (b) **A Hackney Carriage or Private Hire Vehicle Licence.**
 - (c) **A Combined Hackney Carriage / Private Hire Driver Licence.**

Background

1. This Council is the Licensing Authority for hackney carriage and private hire drivers, vehicles and operators and is responsible for providing a licensed service to the community that is safe and accessible.
2. The hackney carriage and private hire trade have a right to expect a fair and reasonable licensing regime.
3. In April 2009, all hackney carriage and private hire proprietors, operators and drivers were sent draft copies of application forms, guidance notes, conditions and policies relating to hackney carriage and private hire matters.
4. Following this consultation, and after taking into account the views of the trade, the Regulation Committee met on 13 January 2010 and adopted new policies and conditions for hackney carriage and private hire matters. The new policies and conditions will take effect from 1 April 2010.

5. Following the Regulation Committee's adoption of the new policies and conditions, it is now necessary to agree the requirements (for example, criminal reference bureau checks and medicals certificates) for obtaining a licence as shown on the draft application forms for Operators, Vehicles and Drivers.
6. Any objections to matters contained in the draft application forms and guidance notes were considered at the Regulation Committee Meeting on 13 January 2010.
7. The draft application forms and guidance notes can be found at Appendix A, B and C.
8. Minor amendments and changes to the forms and guidance notes (including layouts) may be necessary as required by legislative changes and to make improvements. These will be undertaken by officers as required..

Conclusion and Next Steps

09. This report seeks approval from the Regulation Committee for the various requirements as set out in the Application Forms and Guidance notes in order to obtain a Hackney Carriage or Private Hire Licence.

Appendices:

Appendix A – (Application for Private Hire Vehicle Operator's Licence)

Appendix B – (Application for Hackney Carriage / Private Hire Vehicle)

Appendix C – (Driver's Licence Application for Hackney Carriage / Private Hire Vehicle)

Background Papers: N.A.

Location of papers: The Council Offices, Dunstable.