

## Central Bedfordshire Council

LICENSING COMMITTEE

Wednesday, 9 March 2016

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### Review of Private Hire Vehicle Conditions

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#### Purpose of this report

1. To consider the private hire vehicle conditions following consultation with the trade, the public and other interested parties.

#### RECOMMENDATIONS

1. To seek a decision in relation to the conditions Members wish to adopt and subsequently apply with regards to Private Hire Vehicles.
2. Recommend that Full Council adopts these conditions.

#### Overview and Scrutiny Comments/Recommendations

1. Licensing matters do not fall within the O & S remit.

#### Current Policies and Conditions.

2. The current guidelines, policies and conditions for Private Hire vehicles were adopted on 01 April 2010. They were formed, in the main, by amalgamating the conditions of the former South Bedfordshire and Mid Bedfordshire District Councils.

#### Options for consideration

#### The Consultation Process

3. Before a local authority can make a decision on matters affecting the hackney carriage and private hire trade, they must consider the views of all interested parties.
4. In December 2014, comments on the new proposals were invited from the trade, and other interested parties. However, the outcomes of the

consultation were not provided at that time, nor were any changes made as two matters rendered the consultation out of date before its outcomes could be implemented. Firstly we awaited the Deregulation Bill to ensure that any conditions issued by CBC aligned to the Bill and secondly, we had started discussions with our neighbouring Bedfordshire authorities with a view to taking a PAN Bedfordshire approach to the possible adoption of a single Criminal Convictions Policy. We also wished to explore a PAN Bedfordshire approach to the possible provision of a Child Sexual Exploitation (CSE) training course for licence holders. Discussion on these matters are ongoing and would be the subject of further consultation in the future. In the meantime, various hackney carriage and private hire matters still needed addressing and the consultation has now been carried out again. There are some changes to the last consultation but any comments made previously are still valid and are included in this report.

5. In December 2015, all hackney carriage and private hire proprietors, operators and drivers, together with other interested parties were informed of the consultation process and their comments invited. The consultation documents were also available to members of the public by accessing the council's website. A copy of our letter to the trade dated 23 December 2015 can be found at Appendix A. This letter is specific to all reports.
6. Various comments were received during the consultation process. The comments can be found at Appendix B. The comments are specific to all reports.

### **Private Hire Vehicles**

7. Private hire vehicles are licensed to perform pre-booked work only. Bookings can only be obtained through a licensed private hire operator and driven by a licensed private hire driver. All three licences must be granted by the same local authority. Private hire vehicles must not ply for hire, or wait on a rank, however, they can be pre-booked to undertake a journey anywhere in the country.
8. The draft private hire vehicle conditions can be found at Appendix C. Any new proposals/conditions/changes to the current practice are shown in bold.

### **Council Priorities**

The proposed action supports at least one of the Council's priorities, listed below.

- Enhancing the local community – creating jobs, managing growth, and enabling business to grow.
- Protecting the vulnerable – ensuring a safe and accessible licensed hackney carriage and private hire trade.

## **Legal Implications**

9. Under the Local Government (Miscellaneous Provisions) Act 1976, the Local Authority is responsible for providing a licensed service to the community that is safe and accessible.
10. The hackney carriage and private hire trade have a right to expect a fair and reasonable licensing regime.

## **Financial and Risk Implications**

11. Fees are payable for hackney carriage and private hire licences. The fees charged represent the cost of the council producing the licences.

## **Equalities Implications**

12. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability; gender reassignment; marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
  - In order to ensure the personal safety of all vulnerable groups wishing to use licensed vehicle, conditions attached to licences ensure that this duty is met.

## **Conclusion and next Steps**

13. Full Council must approve any decision made by the Licensing Committee in these matters.
14. It is anticipated that the new conditions will take effect from 01 May 2016.

## **Appendices**

The following Appendix is attached

15. Appendix A - Letter to the trade dated 23 December 2015.
16. Appendix B – Views of the trade and other interested parties – specific to all reports..
17. Appendix C – Draft Private Hire Vehicle conditions..

## **Background Papers**

None

