

## **REVIEW OF DELEGATIONS RELATING TO TAXI AND PRIVATE HIRE LICENSING MATTERS**

### **1 Purpose**

- 1.1 To seek the authority of the Licensing Committee to change delegations relating to taxi and private hire licensing matters.

### **2 Recommendations/for decision**

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| <ol style="list-style-type: none"><li>2.1 To agree to authorise the Licensing Officers and the Licensing Manager, in consultation with the Chairman, or in his/her absence the Vice-Chairman of the Licensing Committee to refuse applications for, or suspend or revoke existing hackney carriage and private hire licences.</li></ol> |
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### **3 Supporting information**

- 3.1 In 2010 Licensing Committee agreed to authorise the Licensing Manager, in consultation with the Chairman of Licensing Committee to have the delegated power to refuse applications and suspend and revoke existing licences. This was introduced to afford greater flexibility and speed in respect to this aspect of decision making. In practice it has worked effectively and successfully. Decisions to impose a regulatory sanction have been sound and robust and, to date, never overturned on appeal.
- 3.2 Nevertheless the process of refusing, suspending and revoking a licence can be time consuming, particular if the decision is subsequently subject to appeal. On those occasions the Licensing Manager, as the officer responsible for the decision becomes the key witness for the Council. Effectively the Licensing Manager has to prepare a detailed statement and pull together all relevant evidence and of course attend court.
- 3.3 In recent years with a changing climate in taxi licensing the use of regulatory sanctions has increased. In addition the Deregulation Act introduced in October last year has significantly changed the rules relating to cross border hiring and as a consequence Aylesbury's taxi licensing service has seen a five fold increase in driver applications between April 2015 and April 2016.
- 3.4 In order to meet this very significant demand the taxi licensing team has had to increase its administrative and enforcement resources and structure itself effectively to ensure an efficient processing service but also one that is robust and strict. In order to meet the demand the delegated power to refuse, suspend and revoke licences needs to be extended to more officers.
- 3.5 It is proposed that these powers be delegated to the existing Taxi Licensing Officers, of which there are currently two. In practice their decision making will be in conjunction with the Licensing Manager to ensure consistency and a level of experience to the decision and, in the case of more controversial decisions the Licensing Manager will undoubtedly lead. However this will ensure that the taxi licensing team have sufficient resource and resilience.

### **4 Options considered**

- 4.1 An alternative involving the Licensing Officer in consultation of the Licensing Manager was considered. However practical experience has shown

involvement of the Chairman of Licensing Committee has added a degree of scrutiny to the decision.

**5 Reasons for Recommendation**

- 5.1 To ensure the taxi licensing team can meet the current and future demand, particularly in relation to regulatory sanctions.

**6 Resource implications**

- 6.1 None

Contact Officer	Peter Seal 01296 585083
Background Documents	None