

<b>SUBJECT:</b>	<b>Hackney Carriage &amp; Private Hire Licensing Policy</b>
<b>REPORT OF:</b>	Director of Services – Steve Bambrick
<b>RESPONSIBLE OFFICER</b>	Head of Healthy Communities – Martin Holt
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<b>WARD/S AFFECTED</b>	All

## 1. Purpose of Report

- 1.1 This report is to recommend to Council the adoption of the draft hackney carriage and private hire policy, which is attached at Appendix 1.

### RECOMMENDATION

That the Council adopts the draft policy attached as an Appendix to come into effect on 1<sup>st</sup> December 2017 .

## 2. Reasons for Recommendations

- 2.1 The draft policy was subject to a 12 week public consultation which has now concluded. Following the amendments being made and consideration by Licensing Committee on 14<sup>th</sup> December 2016, further consultation took place with the Trade before final amendments were made to the draft policy. Licensing Committee at its meeting on 17 July 2017 took into account all of the responses that were received as part of that consultation and recommended that the amended draft policy to be suitable for adoption by the Council.

## 3. Background

- 3.1 A review of the Council's adopted Hackney carriage and private hire policy was discussed previously by the Licensing Committee on 28<sup>th</sup> June 2016 and the draft policy approved for consultation by the Committee.
- 3.2 A 12 week consultation period for the draft policy concluded on the 21<sup>st</sup> September 2016.
- 3.3 Consultation with the trade included direct text messaging and a letter to all licensed drivers and operators. The wider consultation involved a dedicated web page on the Council's website, use of social media, and emails to the police, Highways Authority, neighbouring authorities and interested stakeholders e.g. residents groups.
- 3.4 Three meetings were held with Chiltern Taxi Drivers Association; one of which was chaired by the Licensing Committee Chairman and attended by 51 members of the trade. Additionally, an informal drop in session for members of the trade was held during the consultation to allow any clarifications or items to be considered. A full day was set aside for this so that members of the trade could attend as and when able to do so; members of the Licensing team were available to answer questions the trade had in relation to the draft policy and consultation process.

**4. Draft policy amendments following consultation**

- 4.1 Following consideration of the responses to the consultation, a number of changes (including typographical errors and words of clarification) to the draft policy were agreed by the Licensing Committee on 14<sup>th</sup> December 2016 and further changes were agreed by the Committee at its meeting on 17<sup>th</sup> July following additional consultation with the Trade as directed by the Licensing Committee.
- 4.2 Significant concerns were raised by the trade with regards to 3 issues which the Council has direct control over through its policy – vehicle age and window tints and door stickers. The Window tint policy had not been changed as part of the review, and after consideration the decision of the Licensing Committee was that this aspect of the policy remained fit for purpose. Change to the age policy for vehicles had been consulted on, but following consideration of the responses, the Licensing Committee decided that the existing vehicle age policy would remain without amendment.
- 4.3 The most significant concerns raised in the consultation were the use of door stickers to identify licensed vehicles. Door stickers are a requirement of Hackney Carriages and Private Hire Vehicles in the existing policy. The responses to the consultation expressed that they did not feel these were necessary on Hackney Carriages. After due consideration the Licensing Committee agreed that these were not necessary for hackney carriage vehicles, but would continue to be required on private hire vehicles.

**5. Corporate Implications****5.1 Legal**

The draft policy once adopted affects the approach that the Council will be taking for hackney carriage and private hire licensing. This will impact on the level of compliance and enforcement actions taken.

**5.2 Equality Act 2010**

The impact of the policy on equalities has been considered whilst conducting the review, and no adverse equality issues were identified at the time that the draft policy was revised and approved for consultation. However, during the earlier consultation a number of responses highlighted significant concerns that the draft policy was indirectly discriminatory, specifically in relation to ethnicity and religion, so the original Equalities Impact Assessment (EIA) carried out was reviewed in light of these concerns.

**6. Links to Council Policy Objectives**

- 6.1 The publication of an effective Hackney carriage and private hire policy links to all 3 of the Council's headline objectives:
1. Delivering cost- effective, customer- focused services
  2. Working towards safe and healthier local communities
  3. Striving to conserve the environment and promote sustainability.

**7. Next Steps**

- 7.1 If Council adopt the draft Policy the Licensing team will inform the trade that it is has now been adopted and will take the necessary steps required to adjust its procedures in connection with hackney carriage and private hire licensing.

<b>Background Papers:</b>	<p>Draft Chiltern District Council Hackney Carriage and Private Hire Policy as recommended for adoption by the Licensing Committee on 17<sup>th</sup> July 2017</p> <p>Taxi and private hire vehicle licensing: best practice guidance 2 March 2010.</p>
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