

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Report to Council

7 December 2016

TITLE:	Hackney Carriage and Private Hire Policy 2016
PORTFOLIO HOLDER:	Councillor Mike Bowen – Portfolio Holder for Communities
OFFICER:	Robert Weaver - Head of Regulatory Services
WARDS:	Non-Specific

Appendix A – Hackney Carriage and Private Hire Policy 2016

1. Reason for the Report:

- 1.1 The purpose of the report is to ensure that the requirements of the Miscellaneous Provisions Act 1976 and the Town Police Clauses Act 1847 are met by the authority and to assist in the efficient and effective discharge of taxi licensing functions by the Authority.

2. Recommendations

- 2.1 That Members approve and adopt the Hackney Carriage and Private Hire Policy 2016 attached in appendix A, as the Council's policy.
- 2.2 That Members give delegated authority to the Head of Regulatory Services to make minor modifications to the policy to reflect any change in legislation or case law or to promote efficient administration of the licensing function without consultation if appropriate.

3. Executive Summary

- 3.1 Licensing authorities should regularly review and update policies to reflect changes in legislation, local circumstances and safeguarding issues.

- 3.2 Licensing policy must be approved and adopted at a full meeting of the Council. Such approval ought not to be granted until a consultation has been undertaken with a range of statutory bodies defined by the Act, and other organisations as is deemed appropriate.
- 3.3 A six week consultation exercise has now been undertaken; the consultation took place in August and September 2016 as detailed in the report to the Licensing Committee on 18th November 2016.
- 3.4 Consultation responses have been reviewed and proposed changes discussed and agreed at the Licensing Committee Meeting on 18th November 2016, and the policy attached in appendix 1 has been amended to reflect these changes.

4. **Background**

- 4.1 The Publication of the Alexis Jay report into historical cases of child abuse in Rotherham, published in August 2014, included a number of references to the local taxi trade and taxi drivers. This has impacted significantly on the public perception of the industry and those working within it nationally.
- 4.2 To tackle the potential issues raised by the Jay Report and to provide public reassurance, the Council has updated and revised its approach with a view to improving and strengthening current arrangements.
- 4.3 Best practice suggests that having an up to date policy provides the most appropriate framework for ensuring a safe and effective service.
- 4.4 The Hackney Carriage and Private Hire Policy 2016 seeks to raise the standards of the taxi trade operating within the Staffordshire Moorlands District area. The policy brings together the various individual policies and conditions which have been used to regulate the trade in past years.

5. **Options and Analysis**

- 5.1 Members to adopt the Hackney Carriage and Private Hire Policy 2016 as the Councils policy.

6. **Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

The successful implementation of the Hackney Carriage and Private Hire Licensing Policy should have a positive impact on community safety and assist in the reduction of crime.

6.2 Workforce

None

6.3 Equality and Diversity/Equality Impact Assessment

This report has been prepared in accordance with the Council's Diversity and Equality Policies.

6.4 Financial Considerations

The failure of the Authority to review, consult and publish the Hackney Carriage and Private Hire Policy on a regular basis may result in a judicial review being brought against the Council.

6.5 Legal

Decisions in relation to licences engage Article 6 (1) and protocol 1, Article 1 of the Human rights Act 1998. These concern rights to a fair trial and the right to a peaceful enjoyment of possessions. The policy ensures that licence holders are dealt with in such a way as to comply with the human rights legislation and case law. Should affected persons believe the authority's Taxi Licensing Policy is not sound it would be open to them to undertake judicial review proceedings.

6.6 Sustainability

The aim of the Hackney Carriage and Private Hire Licensing policy is to improve the economic, environment and social well being of the area. The Hackney Carriage and Private Hire Licensing policy has been drafted with due regard to the requirements to achieve sustainability in the environmental, economic and social life of the district.

Robert Weaver
Head of Regulatory Services

Web Links and

Background Papers

Appendix 1 – Hackney Carriage and Private Hire Policy

Location

Regulatory Services
SMDC
Moorlands House
Leek

Contact details

Alicia Patterson
Operations Manager
Tel: 015838 395400
Ext: 4408

