

<b>1.</b>	<b>Meeting:</b>	<b>Council Meeting</b>
<b>2.</b>	<b>Date:</b>	<b>8<sup>th</sup> July 2015</b>
<b>3.</b>	<b>Title:</b>	<b>Hackney Carriage and Private Hire Licensing Policy</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

**5. Summary**

5.1 This report informs Members of the Council that the proposed policy in relation to Hackney Carriage and Private Hire Licensing was considered by Commissioner Ney and the Advisory Licensing Board on 29<sup>th</sup> June 2015.

5.2 Commissioner Ney published her decision notice on 29<sup>th</sup> June 2015, with the policy being scheduled for implementation on 6<sup>th</sup> July 2015 (subject to the receipt of representations against the decision).

**6. Recommendations**

6.1 **Members of Council note the Revised RMBC Hackney Carriage and Private Hire Licensing Policy (attached as Appendix 1 to this report).**

6.2 **Members note Commissioner Ney's decisions with regard to the policy (minded to decision notice attached as Appendix 2).**

## 7. Proposals

- 7.1 The proposed policy is attached to this report as **Appendix 1**. The policy is the result of the largest overhaul of Rotherham MBC licensing policy and practice ever to have taken place. Once implemented the policy is designed to bring about significant improvement in the regulation of the taxi and private hire trade in Rotherham and ensure that the standard of our drivers, vehicles and operators are second to none.
- 7.2 As a result of the responses received during the consultation, and discussions with the Advisory Licensing Board and licensed trade representatives, Commissioner Ney made a number of amendments to the policy.
- 7.3 Commissioner Ney published her minded to decision notice on 29<sup>th</sup> June 2015. The decision was that:
- 7.3.1 Approved the Rotherham MBC Hackney Carriage and Private Hire Licensing Policy.
  - 7.3.2 Approved the immediate application of the policy to any application for a driver, vehicle or private hire operator licence that is determined after the 6<sup>th</sup> July 2015.
  - 7.3.3 Approved the immediate application of the policy to all licensed drivers, vehicle proprietors and private hire operators (who are in possession of a valid licence on 6<sup>th</sup> July 2015) subject to the council's implementation plan.
  - 7.3.4 Agreed that the implementation and impact of the policy should be monitored during the initial 12 months following introduction, and a full review of the policy undertaken 12 months after the policy has been introduced.
- 7.4 The introduction of the proposed policy will result in a number of key changes to current licensing practice. These key changes are outlined in the attached report.
- 7.5 The implementation and impact of the policy will be monitored during the initial 12 months after it is introduced, if necessary the council will review and revise the implementation if required.
- 7.6 A full review of the policy will be undertaken 12 months after the policy has been introduced.

## 8. Finance

- 8.1 The structure and operational arrangements in relation to licensing are currently being reviewed. Different ways of working are being explored

that will reduce the impact that these proposals will have on service costs.

## **9. Risks and Uncertainties**

- 9.1 The existing policies are compliant with current legislation. New legislation is likely following the Law Commission report in 2014, but this may take several months if not years, before it actually reaches the statute book. In the meantime not strengthening our current standards may mean that we are not able to offer Rotherham taxi customers the level of safety, comfort and reassurance that they could expect.
- 9.2 Failure to introduce this policy not only risks massive reputational damage to the Council / Licensed trade, but more importantly may expose members of the public to unacceptable risks to their safety.
- 9.3 Maintaining the existing licensing position also runs the risk that the current poor perception of the Rotherham taxi trade continues, custom dwindles, revenues decline and vehicle standards fall.
- 9.4 Operators and drivers may be concerned about the impact of the proposed new processes and the impact on their business and customers.

## **10. Policy and Performance Agenda Implications**

- 10.1 This policy has a direct link with the Corporate Plan 2013-16. In particular it addresses priority two, 'protecting our most vulnerable people', and priority three 'ensuring all areas of Rotherham are safe'.

## **11. Background Papers and Consultation**

- 11.1 Papers from Commissioner Ney's Meeting with the Advisory Licensing Board on 29<sup>th</sup> June 2015
- 11.2 Further background information is available in the reports presented to the Licensing Board (pre February 2015) and Commissioner Ney's meeting (post February 2015).

## **12. Contact Name:**

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Appendix 1 Report and papers presented to Commissioner Ney's Meeting with the Advisory Licensing Board on 29<sup>th</sup> June 2015.

Appendix 2 Commissioner Ney's Decision Notice published on 29<sup>th</sup> June 2015.