

REPORT TO:	Licensing Committee
DATE:	12 th June 2019
LEAD OFFICER:	Head of Planning and Public Protection
CONTACT OFFICER:	Senior Technical Officer (Licensing) 01824 706433
SUBJECT:	Update on Statement of Policy regarding the suitability of applicants and licensees in the hackney carriage and private hire trades

1. PURPOSE OF THE REPORT

- 1.1 To report back to Members on the work carried out in drafting a policy which meets the contents of the Institute of Licensing (IoL) Guidance document.
- 1.2 To seek Members approval on the draft Statement of Policy Regarding the Suitability of Applicants and Licensees in the Hackney Carriage and Private Hire Trades, for implementation on the 1st July 2019.

2. EXECUTIVE SUMMARY

- 2.1 At the Licensing Committee meeting on the 5th December 2018, Members resolved to adopt the IoL guidance and instructed Officers to draft a policy which meets the contents of the document. Members also recommended officers engage with licence holders.
- 2.2 Officers having completed the task as detailed in 2.1 above are now in a position to present the final draft version of the Statement of Policy Regarding the Suitability of Applicants and Licensees in the Hackney Carriage and Private Hire Trades for approval.

3. POWER TO MAKE THE DECISION

- 3.1 Local Government (Miscellaneous Provisions) act 1976 and Town Police Clauses Act 1847

4. BACKGROUND INFORMATION

- 4.1 Further to the resolution as detailed in 2.1, Officers would like to update Members on the work that has taken place since the Licensing Committee meeting in December last year.
- 4.2 In January of this year, a newsletter was sent to all existing licensed drivers, Operators and proprietors informing them of the Licensing Committee's adoption of the Institute of Licensing (IoL) guidance document on the suitability of applicant and licensees in the taxi trade. A copy of the IoL guidance document was sent along with the newsletter.
- 4.3 The newsletter also detailed of a number of Licensing surgeries that had been arranged for February and April throughout the County with morning, afternoon and evening sessions available.
- 4.4 The Licensing Surgeries were also promoted on the social media pages for Denbighshire and Licensing as well as sharing on various local social media groups.
- 4.5 It is disappointing to report that out of all the surgeries held throughout the County, only 3 licence holders attended, and it is further noted that out of the 3 none of them had any issues with the policy.
- 4.6 The policy is intended to be applied to all new licences as from the 1st July 2019. In addition, any existing licensees that have been considered as "fit and proper" under the existing Conviction Policy, will continue to be considered as such provided no further convictions occur. Should there be any further additional convictions then all matters will be taken into account at the time of either renewal or when the Council has been notified of such an offence.
- 4.7 A copy of the draft Statement of Policy Regarding the Suitability of Applicants and Licensees in the Hackney Carriage and Private Hire Trades can be found at Appendix A.
- 4.8 Officers wish to bring to the attention of Members that this national policy may be subject to changes beyond the control of this Authority. In such cases, Members may wish to consider authorising Officers to adopt such changes to the Statement of Policy without reporting back to this Committee. However, where significant changes at a national level ie those having a major impact on the policy as adopted, are made officers will update the Members at the next available committee.

5.0 CONSULTATION

- 5.1 Members will be aware that it is the Council's usual practice to consult with all key stake holders on any proposed policy change, however, in this instance, as the IoL guidance document is a national document and any deviation from this document would create inconsistencies throughout the Country and would not therefore be appropriate, a programme of awareness events was implemented.

6. RECOMMENDATION

- 6.1 That Members adopt the Statement of Policy regarding the suitability of applicants and licensees in the hackney carriage and private hire trades as attached at Appendix A, with an implementation date of the 1st July 2019.
- 6.2 That Members authorise officers to make such changes as detailed in 4.8 above, so that the Statement of Policy Regarding the Suitability of Applicants and Licensees in the Hackney Carriage and Private Hire Trades maintains consistency with the national guidance document.