

COUNCIL – 29 NOVEMBER 2011

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Report of the: **Director of Community and Planning Services**

Also considered by: Licensing Committee - 26 October 2011

Status: For Decision

Executive Summary: There is no statutory requirement for a Licensing Authority to produce a Hackney Carriage and Private Hire Licensing Policy. However, it is deemed 'best practice' by the Department for Transport.

The Policy will be presented to the Council on 29th November 2011 and will take effect from 3rd January 2012 and will be in force for a minimum of three years.

This report supports the Key Aim of Safe and Caring Communities and Dynamic and Sustainable Economy

Portfolio Holder Cllr Mrs. Bracken

Head of Service Head of Environmental and Operational Services – Mr. Richard Wilson

Recommendation: Members are asked to recommend approval of the Hackney Carriage and Private Hire Licensing Policy to come into force on 3rd January 2012.

Background

- 1** Sevenoaks District Council's last adopted Hackney Carriage and Private Hire Licensing Policy was approved and adopted by Full Council on 5th February 2008.
- 2** The Hackney Carriage and Private Hire Licensing Policy is an integral part of the decision making process and gives guidance and direction to Officers when processing applications and carrying out enforcement. The policy sets out stringent guidelines that governs vehicle, operator and driver standards.
- 3** The Hackney Carriage and Private Hire Policy was sent out for consultation for six weeks from the 26th August 2011 until 7th October 2011. Every Hackney Carriage/Private Hire Proprietor, Driver and Operator was written to in August 2011 and a copy of the draft Hackney Carriage and Licensing Policy was sent for them to comment on. The policy was also sent to interested persons such as the Access Group, the Council's Vehicle Compliance testers, Officers from neighbouring authorities and Officers within the Council.

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- 4** On 26th October 2011 the Licensing Committee considered the feedback from the consultation process and approved changes to the Policy.

Key Implications

Financial

- 4** The Council's budget for the licensing of taxis is set on a cost recovery basis and the cost of this consultation is covered with the licensing administration budget.

Legal, Human Rights etc.

- 5** Decisions in relation to a licence are likely to amount to consideration of civil rights and obligations with the result that Article 6 (1) of the Human Rights Act 1998 is engaged.

Sources of Information: Local government (Miscellaneous Provisions) Act 1976.

Hackney Carriage Driver Byelaws

Town and Police Clauses Act 1947

Department for Transport Best Practice

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