

MEETING:	REGULATORY COMMITTEE
DATE:	9 MARCH 2010
TITLE OF REPORT:	PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE CONDITIONS, WITH AMENDMENTS - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 AND TOWN POLICE CLAUSES ACT 1847.
PORTFOLIO AREA:	HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS ENVIRONMENT & CULTURE

CLASSIFICATION: Open

Wards Affected

Countywide

Purpose

To consider implementing revised licence conditions for private hire and hackney carriage vehicles.

Key Decision

This is not a key decision

Recommendation(s)

THAT Committee:

Adopt the proposed conditions as they are presented in Appendix 1 of this report.

Introduction and Background

1. The conditions have been reviewed following full consultation. At the last Regulatory Committee the conditions were agreed with the proviso that further consideration was given to some points raised by the Taxi Association.
2. This has been carried out following a meeting on Monday 22nd February 2010 with Mr John Jones (Chairman of the Taxi Association), Marc Willimont (Regulatory Services Manager) and Claire Berrow (Licensing Officer). The tracked amendments can be viewed at Appendix 1.

Key Considerations

3. Whether or not to accept all or only some of the amendments to the draft standard private hire and hackney carriage licence conditions or consider the inclusion of other conditions not currently within the proposed new conditions.

Key Points Summary

- At the February Regulatory Committee the conditions were accepted with a proviso to further consider comments made by the Taxi Association.
- Meeting held on 22nd February 2010 which resolved this.

Reasons for Recommendations

4. The licensing authority believes it has considered amendments to the vehicle licence conditions carefully and in accordance with the relevant legislation and previous committee hearings and that this fulfils the Council's main aim of protecting public safety.

Alternative Options

- a) **The conditions not to be adopted by the Regulatory Committee as presented in this report.**

Advantages: It allows the views of the trade to be taken into an even fuller account, if considered appropriate and legal.

Disadvantages: Not all the proposals put forward by the Association and some independent trade members can be legally accepted or are fair to all. The current draft follows a substantive consultation exercise. This alternative will delay the release of the new conditions even further.

- b) **To defer the decision in order to get more information**

The Committee could make a decision to defer the decision. This will allow further information to be considered and enable additional advice to be received, whether legal or technical.

Advantages: Gives the opportunity for further information to be sought.

Disadvantages: This would delay the decision process and will incur further costs. This alternative will also delay the conditions even further.

- c) **To reach some other decision**

Advantages: This leaves other options open to the Committee to resolve the matter.

Disadvantages: There are no clear directions from the Head of Environmental Health & Trading Standards in respect to alternatives.

Community Impact

It is felt that any decision will have only a minor impact on the community as a whole, as it relates specifically to the taxi trade.

Financial Implications

Not applicable

Appendices

Appendix 1 – Proposed Vehicle licence conditions with tracking.

Background Papers

Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.