

MEETING:	REGULATORY COMMITTEE
DATE:	5 APRIL 2011
TITLE OF REPORT:	PROPOSED REVISED DUAL HACKNEY CARRIAGE/PRIVATE HIRE DRIVER CONDITIONS - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 AND TOWN POLICE CLAUSES ACT 1847
PORTFOLIO AREA:	ENVIRONMENTAL HEALTH & TRADING STANDARDS PUBLIC HEALTH DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Countywide

Purpose

To consider implementing revised licence conditions for dual driver (taxi) licensing.

Key Decision

This is not a key decision

Recommendation(s)

THAT Committee:

Adopt the proposed conditions as they are presented in this report, in accordance with the Council's powers under the legislative provisions mentioned in this report.

Introduction and Background

1. From time to time the Council may review its conditions and policies as they relate to taxis.
2. The Herefordshire Hackney and Private Hire Taxi Association asked for the Dual Driver Conditions to be reviewed and amended following the lengthy consultation process that proceeded the adoption of the new Vehicle Conditions in March 2010.

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3. Following this request from the trade, the Dual Driver Conditions were reviewed over a period of several months, following detailed consultation with the Herefordshire Hackney and Private Hire Taxi Association via its Chairman, Mr John Jones.
4. The consultation process was initiated at one of the regular Council / Trade liaison meetings and led to a new draft set passing back and forth between the Council and the Association whereby a number of minor amendments were made. The proposed conditions can be seen at Appendix 1.
5. The amendments are in a table and can be seen at Appendix 2.
6. The Taxi Association have been consulted in great depth and as the amendments to the original conditions are reasonably minor, opening the consultation exercise up even fuller is considered unnecessary.

Key Considerations

7. Whether or not to accept all or only some of the amendments to the draft standard dual driver licence conditions.

Reasons for Recommendations

8. The licensing authority believes it has considered amendments to the dual driver 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) **That the conditions are 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: The current draft follows a consultation exercise and the amendments are minor. Therefore, it would seem unnecessary to consult more fully. This alternative will also delay the release of the new conditions.

- 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 being implemented.

- 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 Assistant Director (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. The Taxi Association have been consulted in great depth.

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Financial Implications

Not applicable

Appendices

Appendix 1 – Proposed dual driver conditions

Appendix 2 - Amendments to conditions

Background Papers

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