

**REPORT TO:** Executive Board

**DATE:** 20 October 2016

**REPORTING OFFICER:** Strategic Director – Enterprise, Community & Resources

**PORTFOLIO:** Resources

**SUBJECT:** Policy Changes relating to Taxi Licensing Conditions

**WARDS:** Boroughwide

## **1.0 PURPOSE OF THE REPORT**

- 1.1** To receive a report from the Regulatory Committee recommending that the Executive Board adopt policy changes which relate to both hackney carriage and private hire conditions.

## **2.0 RECOMMENDATION: That**

- 1) the policy changes amending existing conditions relating to hackney carriage and private hire licensing as recommended by the Regulatory Committee at its meeting held on 5 October 2016 be adopted as Council Policy;**
- 2) the adoption shall take effect on 24 October 2016; and**
- 3) to reflect the decision of the Council at its meeting held on 14 September 2016, (which related to the adoption and re-adoption of Part II Local Government (Miscellaneous Provisions) Act 1976), all existing policies of the Council relating to public and private hire (as amended by the changes made by recommendation 1 of this resolution) shall be adopted and re-adopted on 24th October 2016.**

## **3.0 SUPPORTING INFORMATION**

- 3.1** Appendix 1 to this report contains a resolution of the Regulatory Committee made at its meeting held on 5 October 2016 and Appendix 2 contains the agenda item which gave rise to the resolution.
- 3.2** The Regulatory Committee received an additional representation to be included within Appendix A of the report and made the following corrections to Appendix 2: (1) on page 14 line 1 delete “saloon, hatchback, estate or multi-purpose”; (2) on page 26 second paragraph under Vehicle Condition line 2 inset “sized” after “full”; (3) on page 29 column 7 paragraph 5 line 1 delete “will” and substitute “must”.

- 3.3 The Policy changes recommended by the Regulatory Committee were the culmination of a consultation exercise via the Taxi Consultative Group.
- 3.4 A number of the proposed policy changes are set out a column 7 in Appendix B of the Regulatory Committee report. These involve: use of run-flat tyres; carrying suitable tools for changing tyres; taximeters in private hire vehicles; matters relating to door signs; and a new definition of what constitutes a fully wheelchair accessible vehicle.
- 3.5 In addition Section 4 of the Regulatory Committee report sets out definition changes and issues relating to vehicle ages. The definition changes were approved by the Regulatory Committee. The debate on vehicle age policy reviewed a number of possible options the outcome of which is that the maximum age of Standard Vehicles (as newly defined) would increase from 8 years to 10 years. No other changes to the vehicle age policy were considered to be appropriate other than the consequential change brought about by the deletion of MPV style vehicles as a separate category of fully wheelchair compatible vehicle: these benefit from the same age conditions as the former category of "Purpose built hackney carriages" which is re-named to be included within "Fully wheelchair accessible" vehicles. This would benefit both hackney carriage and private hire MPVs.
- 3.6 The reference in recommendation 2.3 above to the decision of the Council at its meeting on 14 September 2016 is to item 4a of that meeting headed "Part II Local Government (Miscellaneous Provisions) Act 1976 (Minute COU76 refers)". The Council adopted and re-adopted Part II of the 1976 Act which deals with both hackney carriage and private hire matters. The Council and the Executive Boards have different roles to perform by virtue of the Local Government (Functions and Responsibilities) Regulations 2000. It is appropriate for the Executive Board to adopt and re-adopt policies to avoid challenges in the future.

#### **4.0 ISSUES FOR THE COUNCIL TO DETERMINE**

- 4.1 The issues to be considered are set out in Appendix 1 and Appendix 2.

#### **5.0 POLICY IMPLICATIONS**

- 5.1 The subject matter of this report is to adopt policy changes.

#### **6.0 OTHER IMPLICATIONS**

- 6.1 There are no other implications arising out of this report.

#### **7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

- 7.1 **Children and Young People in Halton**

There are no new implications arising out of this report.

## **7.2 Employment, Learning and Skills in Halton**

There are no new implications arising out of this report.

## **7.3 A Healthy Halton**

There are no new implications arising out of this report.

## **7.4 A Safer Halton**

There are no new implications arising out of this report.

## **7.5 Halton's Urban Renewal**

There are no new implications arising out of this report.

## **8.0 RISK ANALYSIS**

Not applicable.

## **9.0 EQUALITY AND DIVERSITY ISSUES**

Not applicable.

## **10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Taxi Consultative Group File	4 <sup>th</sup> Floor Municipal Building	John Tully

**REG Taxi Licensing Conditions**

The Committee considered a report on miscellaneous policy changes which had gone through a consultation process via the Taxi Consultative group. These involved changes in existing policy to both hackney carriage and private hire conditions. The proposed and potential policy changes were listed at Appendix B of the report and in the body of the report. The policy changes approved by the Committee require to be adopted by the Executive Board.

**RESOLVED:**

1. The Committee endorses all of the proposals set out in:
  - 1.1 Appendix B of the report (as amended at the meeting);
  - 1.2 The definition changes set out at paragraph 4.5 of the report (as amended at the meeting);
  - 1.3 The following changes to vehicle age conditions – for standard vehicles add two years to maximum age (and for the avoidance of doubt with the deletion of MPV style vehicles as a separate category they will be treated as fully wheelchair accessible vehicles for the purposes of age limits).
2. The Executive Board be recommended formally to adopt the above proposals and that the adoption take effect on 24th October 2016;
3. Having been advised of the decision of the Council on 14<sup>th</sup> September 2016 to adopt and readopt Part II Local Government (Miscellaneous Provisions) Act 1976 (which will come into effect on 24<sup>th</sup> October 2016) the Committee requests the Executive Board to adopt and readopt all existing policies of the Council relating to public and private hire (as amended by the changes set out in the report) to take effect on 24<sup>th</sup> October 2016; and
4. Pending the decision of the Executive Board the OD-LD be authorised to take decisions in respect of individual applications as if the policy changes recommended by the Committee were already in force.