

**Report to:** General Licensing Committee

**Date:** 1<sup>st</sup> October 2018

**Title:** Taxi Licensing Guidance Review

**Report of:** Director of Service Delivery

**Ward(s):** All

**Purpose of report:** To seek the Committee's agreement for the Senior Specialist Advisor to prepare a draft Hackney Carriage and Private Hire Licensing Guidance. If the draft Guidance is agreed at a subsequent meeting of this Committee the Guidance would be widely consulted on for an 8 week period.

**Officer recommendation(s):** (1) The Committee authorise the Senior Specialist Advisor to prepare draft guidance and bring this back to Committee prior to the start of an 8 week consultation with the taxi trade and the public.

(2) The Committee consider the submission from the Eastbourne Disability Advisory Group.

**Reasons for recommendations:** It is best practice for licensing authorities to adopt Guidance for hackney carriages and private hire vehicles.

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## **1 Introduction**

- 1.1 Currently Eastbourne Borough Council does not have comprehensive Guidance relating to Hackney Carriage and Private Hire Vehicles although it does have licence conditions and byelaws and guidelines relating to the relevance of convictions etc. that have been in place for a number of years.
- 1.2 It is important that the taxi trade and relevant stakeholders are consulted on any changes to existing conditions etc. before it is implemented.

## **2 Background**

- 2.1 The current landscape for hackney carriage and private hire licensing has changed significantly over recent years with smart phone apps changing the way

vehicles can be booked, the change in the law allowing cross border sub-contracting of jobs and sexual exploitation incidents involving the taxi trade in other parts of the country.

2.2 The Eastbourne Disability Involvement Group have written to the General Licensing Committee expressing their concern that at the current time they feel the current taxi provision does not meet the needs of disabled passengers. These concerns can be addressed in the proposed new Guidance which will benefit both the trade and the Council. This is produced as **Appendix 1**.

2.3 It is appropriate that the Guidance is put in place in light of these issues and brought up to date to ensure the Council protects the safety and welfare of the public.

### **3 Financial appraisal**

3.1 There is no significant cost identified within this report. There will be minor costs associated with administering the consultation.

### **4 Legal implications**

4.1 There is no statutory requirement for the licensing authority to adopt any Guidance in relation to hackney carriages or private hire licences but it is considered best practice to do so as it informs and guides decision makers and assists with consistent decision making. However, the Guidance must not fetter on decision making as each case must continue to be judged on its own merits.

4.2 The Council when drafting the new Guidance should take into consideration the duties and powers imposed on it, and those imposed on hackney carriage drivers, private hire drivers and operators as contained within Chapter 1, Part 12 of the Equality Act 2010.

### **5 Risk management implications**

5.1 It is important that these changes are considered to ensure the safety of the public.

### **6 Appendices**

- Appendix 1 – Submission from Eastbourne Disability Involvement Group

### **7 Background papers**

None