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<b>REPORT TO:</b>	Environmental and Development Service Committee	<b>AGENDA ITEM: 10</b>
<b>DATE OF MEETING:</b>	2 <sup>nd</sup> October 2014	<b>CATEGORY: DELEGATED/ RECOMMENDED</b>
<b>REPORT FROM:</b>	Chief Executive	<b>OPEN/EXEMPT PARAGRAPH NO:</b>
<b>MEMBERS' CONTACT POINT:</b>	Emma McHugh 01283 595 716 <a href="mailto:emma.mchugh@south-derbys.gov.uk">emma.mchugh@south-derbys.gov.uk</a>	<b>DOC:</b>
<b>SUBJECT:</b>	Approval of the Private Hire Licensing Policy and the Private Hire Operator, Driver and Vehicle Licence Conditions	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	All	<b>TERMS OF REFERENCE: EDS 14</b>

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## 1. Recommendations

1.1 That the Private Hire Licensing Policy, Private Hire Operator Licence conditions, Private Hire Vehicle Licence Conditions and Private Hire Driver's Licence Conditions contained in Appendices 1 to 4 of this report are approved to be effective from 10<sup>th</sup> November 2014.

## 2. Purpose of Report

2.1 To provide Members with the outcome of a consultation with interested parties.

2.2 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1.1 of this report in particular to consider the following:

- Amend the Policy to read 'on the initial grant of a private hire vehicle, all licences must be less than 8 years old from the date of registration.'
- Amend the Policy to make it a requirement for medicals to be carried out every 5 years in line with the DVLA Group 2 medical standards and eye tests to be carried out every 2 years until the age of 65 and every 12 months thereafter. Both medical and eye tests may be required for a shorter periods if the driver is restricted for medical reasons.

### **3. Detail**

- 3.1 The Local Government (Miscellaneous Provisions) Act 1976 (the 'Act') governs the licensing of private hire operators, vehicles and drivers. The Council has a duty under the Act to licence private hire operators, vehicles and drivers.
- 3.2 In order to assist in the determination of applications, the Licensing Authority has a basic licensing policy which details how to determine applications from applicants with a criminal history and licence holders who obtain convictions whilst licensed. In addition, there are conditions that licence holders must comply with.

#### **Proposed Policy and Conditions**

- 3.4 The proposed Policy and conditions have been compiled to reflect national guidance where appropriate and with a view to promoting the four main objectives:
- The protection of the health and safety of the public;
  - The maintenance of a professional and respected private hire trade;
  - Access to an efficient and effective local transport service;
  - The protection of our local environment.
- 3.5 The proposed Policy and conditions provide clear transparent guidance to applicants, licences holders, members of the public and the Licensing Authority.

#### **Consultation**

- 3.6 Officers conducted a consultation exercise on these proposals with all existing licence holders, members of the public via the Council's website and local disability groups for a period of 8 weeks. A summary of the responses received are attached as Appendix 5.
- 3.7 In addition, a Driver's Forum was held for licensed drivers and operators to discuss the proposals with Officers of the Licensing Authority. A summary of the points discussed are attached as Appendix 6.

### **4. Financial Implications**

- 4.1 There are no financial implications to the Council.
- 4.2 Recommendation 1.1 will not place an excessive additional burden on the trade or those who wish to enter the trade.

### **6. Corporate Implications**

- 6.1 These proposals will provide a clear framework for existing businesses and for anyone wishing to start their own business which will contribute directly to the corporate vision to make South Derbyshire a better place to live, work, and visit, and to the theme of sustainable growth and opportunity.
- 6.2 These proposals will also demonstrate to members of the public that South Derbyshire District Council takes the public safety seriously, which contributes to the theme of safety and security.