

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**LICENSING & APPEALS COMMITTEE**

**19 March 2014**

**Report of the Director of Central Services and Monitoring Officer**

**Part 1- Public**

**Matters for Recommendation to Council**

**1 REVIEW OF PART OF THE HACKNEY CARRIAGE AND PRIVATE HIRE POLICY 2013**

**1.1 Summary**

1.1.1 Hackney carriage and private hire vehicles have a specific role to play in an integrated transport system. They are able to provide services in situations where public transport is either not available or outside “normal” hours of operation such as in the evenings or at weekends or for those with mobility difficulties

1.1.2 The current Hackney Carriage and Private Hire Policy was approved by Full Council on the 16 April 2013 and is published covering the years 2013 – 2016.

1.1.3 Appendix 1 of the current policy “Good conduct for licensed drivers” has been rewritten to reflect the focus on the aspiration to achieve high level of customer service

1.1.4 The proposed changes will go out for public consultation for just over six weeks from the 1 April 2014 until the 16 May 2014. The proposed changes are shown in **Annex A**

**1.2 Background**

1.2.1 Public safety is paramount consideration when processing prospective candidate by ensuring only fit and proper persons are licensed to be entrusted to drive members of the public safely, professionally and courteously to and from their required destinations.

1.2.2 Hackney carriages and private hire licensed drivers undertake great numbers of school contracts with Kent County Council transporting young children, people with special needs and vulnerable adults

1.2.3 Licensing Services works within a multi cultural dynamic customer facing environment where we need to ensure that every applicant knows what is expected from them.

1.2.4 The following process steps enabled development of this amended policy

<b>Draft consultation agreed at the Licensing Committee</b>	9 March 2014
<b>Public Consultation</b>	1 April 2014 until 16 May 2014
<b>Licensing Committee agrees the policy and recommends to Full Council for adoption</b>	17 June 2014
<b>Full Council adopt policy</b>	TBC
<b>New Policy comes into force</b>	TBC

### 1.3 Legal Implications

1.3.1 Under the Act, the Licensing Authority Statement of Policy will last for a maximum of three years and is required for adopted by Full Council on the recommendation of the Licensing and Appeals Committee.

### 1.4 Financial and Value for Money Considerations

1.4.1 Fee levels for licences are set by the Licensing Authority.

### 1.5 Risk Assessment

1.5.1 The introduction of a policy should provide a transparent and consistent basis for decision making. This in turn should reduce the risks of decisions being challenged in the Courts Recommendations

### 1.6 Equality Impact Assessment

1.6.1 See 'Screening for equality impacts' table at end of report

## 1.7 Recommendations

1.7.1 Members are **RECOMMENDED** that the draft policy be sent out for consultation

Background papers:

contact: Anthony Garnett

Nil

Adrian Stanfield

Report of the Director of Central Services and Monitoring Officer

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	All applications made are decided on their own merits and on a case by case basis. Application are open to all groups in the community to apply
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	Increased emphasis on disabled access vehicles
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*