

CYNGOR SIR POWYS COUNTY COUNCIL

PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE

DATE: 3rd August 2017

REPORT AUTHOR: Senior Licensing Officer

SUBJECT: Vehicle Licence Conditions

REPORT FOR: Decision

1 SUMMARY

1.1 To revise the authority's conditions for licensed Hackney Carriage and Private Hire Vehicles that were last updated in 2014.

2. BACKGROUND

2.1 The authority administers the licensing regime for Hackney Carriages (taxis) and Private Hire Vehicles, currently licences are issued subject to locally set conditions, the power to do this is contained in The Local Government (Miscellaneous Provisions) Act 1976 Sections 47 (Hackney Carriages) and 48 (Private Hire Vehicles). The authority may attach such conditions they consider reasonably necessary, the overriding purpose of the taxi licensing regime is public safety.

2.1 The current vehicle licence conditions were last considered in 2014, since then a number of issues have arisen locally in relation to:

- Use of in-car CCTV by taxi operators
- Issues with wheelchair accessible vehicles possibly being capable of carrying more than 8 passengers (classifying them as PSV)
- New offences in relation to carrying wheelchair passengers
- Issues with the display of vehicle plates, including exemptions for some private hire vehicles.
- Inconsistencies in assessing seating capacity (our dimensions vs the vehicle log book)
- Increased use of roof boxes and trailers to carry luggage on airport runs

2.2 As a result a number of amendments to the licence conditions are proposed and a revised document is produced at Annex A, the additions/amends are set out in red text.

2.3 There is no statutory requirement to consult with the taxi trade on the revised conditions, but it is the intention to do so via a taxi newsletter to be either sent or emailed out to all licensed drivers, the proposed

conditions will also be available to view on the taxi licensing pages of the Council's web site. A copy of the prepared newsletter is attached at Annex B.

- 2.4 Members are asked to consider the revised conditions for approval. If approved the taxi trade will be consulted via a taxi newsletter and will have 14 days to make a response. Should there be no responses then the new conditions will be implemented for all new vehicle licences issued after the end of consultation; however should there be any objections it is proposed that they will be referred to the Chairman and Vice Chairman of the Planning, Taxi Licensing and Rights of Way Committee who will consult with the Senior Licensing Officer and consider any necessary action.

3.0 One Powys Plan

Licensing contributes in a cross cutting manner to various aspects of the One Powys Plan and the proposal serves to build on this.

4.0 Options Considered/Available

Do nothing and leave the current conditions in place.

5.0 Preferred Choice and Reasons

The justification for updating the licence conditions is to address issues that have arisen and the amendments proposed are considered reasonable

6.0 Sustainability and Environmental Issues/Equalities/Crime and Disorder,/Welsh Language/Other Policies etc

The proposal does not have any impact on any of the above.

7.0 Children and Young People's Impact Statement - Safeguarding and Wellbeing

- 7.1 The proposal does not have any impact on the above.

8.0 Local Member(s)

- 8.1 This report has no particular significance on one or some electoral divisions.

9.0 Other Front Line Services

- 9.1 This report has no impact on front line services.

10.0 Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

- 10.1 Finance Business Partner for Places notes the context of the report.
- 10.2 The Professional Lead-Legal notes that the recommendation in this report follows the industry's usual practices and the Legal services will give their support and assistance where and when required.

11.0 Local Service Board/Partnerships/Stakeholders etc

- 11.1 The proposal has no impact on Local Service Board / Partnership Stakeholders.

12.0 Corporate Communications

- 12.1 Communications Comment: Communication will be taking place with the sector, no additional proactive communication action required.

13.0 Statutory Officers

- 13.1 The Strategic Director Resources (S151 Officer) notes the comments made by finance.
- 13.2 The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

14.0 Members' Interests

- 14.1 The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for Recommendation:
(i) That the revised vehicle licence conditions set out at Annex A are approved for consultation with the taxi trade via a trade newsletter sent to all drivers. The trade will have 14 days to respond.	To commence consultation on revised vehicle licence conditions for hackney carriages and private hire vehicles licensed by Powys County Council.
(ii) That the consideration of any objections to the revised conditions be delegated the Chairman and Vice Chairman of the Planning, Taxi Licensing and Rights of Way Committee in consultation with the Senior Licensing Officer.	
(iii) That subject to recommendation (ii)	To ensure up to date vehicle

the revised vehicle conditions will come into effect for vehicle licences issued after the end of consultation.

conditions are applied to all licensed hackney carriage and private hire vehicles in Powys to promote public safety.

Contact Officer	Tel:	Email:
Sue Jones	01597 827389	Susan.jones@powys.gov.uk

Relevant Portfolio Member(s): Jonathan Wilkinson

Relevant Local Member(s): N/A

Background Papers used to prepare report:

Local Government Miscellaneous Provisions Act 1976