

## **ENVIRONMENTAL SERVICES AND WASTE POLICY DEVELOPMENT GROUP**

MEETING, 2ND SEPTEMBER, 2015

Present – Councillors Irving (Chairman), Donaghy (as deputy for Councillor Peel), Graham, Hayes, Richardson, Sherrington, A. S. Walsh,

Augmented by Members of the Licensing and Environmental Regulation Committee for minute 8, viz –

C. Burrows, Donaghy, Graham, Haslam, Haworth, Martin, Murray, Richardson and Wild.

### Officers

Ms. S. Schofield                      Assistant Director of Environmental Services,  
Neighbourhood and Regulatory Services

Mr. I. D. Mulholland                Principal Democratic Services Officer

Apologies for absence were submitted by Councillors Allen, Chadwick, Greenhalgh, Jones and Peel.

Councillor Irving in the Chair

### **7. MINUTES**

The minutes of the meeting held on 29<sup>th</sup> July, 2015 were submitted and signed as a correct record, subject to the insertion of Councillor Sherrington in the list of apologies.

### **8. AMENDMENTS TO HACKNEY CARRIAGE AND PRIVATE HIRE POLICY FOLLOWING THE DEREGULATION ACT, 2015**

The Director of Environmental Services submitted a report which informed members of changes to legislation effecting hackney carriage and private hire licences and to propose amendments to the driver and operator licences to reflect the changes in national legislation.

By way of background information, the report explained that the Deregulation Act, 2015 received Royal Assent on 26th March 2015, with changes to hackney carriage and private hire legislation coming into effect, from the 1st October 2015. The whole Act consisted of a range of changes to many regulatory functions including two provisions that would affect hackney carriage and private hire licensing.

The first provision was that hackney carriage and private hire driver's licences should be issued for three years and private hire operator licences for five years, unless there are reasons for not doing so.

The second provision was to permit private hire operators to sub-contract journeys to other private hire operators outside of the district. At present, private hire operators were only permitted to sub-contract journeys to other private hire operators who were licensed in the same district.

The report went on to explain that currently, hackney carriage and private hire driver's licences and private hire operator licences in Bolton were issued for one year; therefore, it was necessary for the licensing regime, including fees and charges, to be reviewed to enable compliance with the Deregulation Act.

A review of licensing policies, conditions and byelaws relevant to the private hire and hackney carriage driver and operator licences would be completed. This was to enable continued support of the 'fit and proper' test outlined within the Local Government (Miscellaneous Provisions) Act 1976.

Members were further advised that the Council currently issued private hire operator licences for one year. The Deregulation Act provided that those licences shall remain in force for five years or for such lesser period, specified in the licence, as the district council thought appropriate in the circumstances of the case. The need to issue a private hire operator's licence for a period of less than five years would rarely occur, but if the need arose then the matters outlined in the report might apply.

There were currently 95 licensed private hire operators in Bolton and the Council had a sliding scale of charges for those licences depending on the number of vehicles a company wished to operate.

The report explained that an assessment was undertaken to assess the effect of the changes on the costs of administration. The full five year fee would be payable on the grant or renewal of the licence. The fees would be reviewed regularly as part of the annual Council fee setting process.

Members were further advised that the Council currently issued hackney carriage and private hire driver's licences for one year. The Deregulation Act provided that those licences shall remain in force for three years or for such lesser period, specified in the licence, as the district council thought appropriate in the circumstances of the case.

Anyone applying for a three year licence would have to produce with their application, any of the documents that would have fallen due within the licence period.

Members in their deliberations referred to –

- discussions with the trades;
- notification of driver conduct issues;
- possible savings;
- the fee structure;
- fee comparisons with other authorities; and
- exemptions to the three year licences.

It was agreed that the Executive Cabinet Member for Environment Services be recommended to agree -

- (i) That from the 1st October 2015 all private hire operator licences are issued for five years except in certain circumstances as outlined within the report; and
- (ii) That from the 1st October 2015 all new and renewed hackney carriage and private hire driver's licences are issued for three years except in certain circumstances as outlined within the report.

(The meeting started at 6.00pm and finished at 6.22pm)