

LICENSING REGULATORY COMMITTEE

Assurance in Relation to Current Licensing Processes 13th October 2016

Report of Licensing Manager

PURPOSE OF REPORT

The report has been prepared as a means of providing assurance to members of the Licensing Regulatory Committee in relation to the current processes in place in the licensing department and in order to seek to address any questions which may arise as a result of the recent publication of the South Ribble Report

This report is public.

RECOMMENDATION:

- (1) That members consider the attached documents and question any procedure which they feel could be improved in order to better safeguard people who use hackney carriage and private hire vehicles. ‘
- (2) That if members wish to recommend any changes, a further report be requested for consideration at a future meeting.

1.0 Introduction

- 1.1 Members will know that the rationale behind the hackney carriage and private hire licensing regime is to ensure that a service is provided to members of the public that is accessible and safe, and seen to be so. Public safety is paramount to the licensing regime in relation to vehicles, their drivers and operators.
- 1.2 With this objective in mind members will be aware that Lancaster City Council has in place three policies which aim to provide guidance, consistency and transparency.
- 1.3 The first policy is The Rules Regulations and Procedures for Hackney Carriage And Private Hire Licensing. This policy sets out to the applicant what is required of him/her both before and following the grant of a licence. A copy of the document is attached at Appendix 1 to this report
- 1.4 The second policy is the Convictions Policy which has recently been updated. This policy sets out to applicants the implications of convictions and helps to guide officers and members when determining whether an applicant is a fit and proper person to be granted a licence or to continue to hold a licence. A copy of the Convictions policy is attached at Appendix 2 to this report.
- 1.5 The third policy is the Enforcement Policy. The document aims to provide guidance to any person with an interest in public and private hire licensing. In particular, but not exclusively:
 - Applicants for drivers’ licences

- Existing licensed drivers whose licences are being reviewed
- Applicants for operators licences
- Existing licensed operators whose licences are being reviewed
- Licensing Officers
- Members of the Licensing Regulatory Committee
- Magistrates hearing appeals against local authority decisions

Thereby providing transparency and consistency in accordance with the principles of good enforcement and relevant Regulatory Compliance Codes. A copy of the policy is attached at Appendix 3 to this report.

- 1.6 Members will be aware of the recent high profile cases in relation to licensing. In particular some members have raised concerns with the licensing manager following a recent publication of a report that had been commissioned by South Ribble Council. A copy of the report is attached at Appendix 4 to this report.
- 1.7 This report has been written in order to try and alleviate any anxieties that members may have and to provide assurance in relation to the licensing regime in Lancaster.
- 1.8 The licensing manager has selected various points which were highlighted as shortcomings in the South Ribble report and for ease of reference has attached to this report the comparative procedures set up in Lancaster. The document is attached at Appendix 5 to this report.
- 1.9 Members should also be aware that the licensing manager has requested an internal audit of the current procedures in order to provide further assurances. Additionally, in view of the findings of the South Ribble report, members may wish to consider whether any further member training is required at this authority.

2.0 Conclusion

- 2.1 Members are asked to consider the attached documents and to question any procedure which they feel could be improved in order to better safeguard people who use hackney carriage and private hire vehicles. If members wish to recommend any changes, a further report will be prepared for consideration at a future meeting.
- 2.2 Members may wish to wait for the outcome of the internal audit before making any recommendations.

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Public safety is of paramount importance and underpins the licensing regime. Authorities without effective policies and procedures are not only letting down members of the public who use the services of hackney carriage and private hire vehicles, but are also letting down those members of the trade who abide by the rules and work hard to provide a good, safe and reliable service to the public.

FINANCIAL IMPLICATIONS

There are no financial implications envisaged – it is expected that any member training requirement identified would be provided free of charge or in-house by Licensing staff. If any additional training was required, there may be a need to utilise the Democratic Representation - Members Training budget.

LEGAL IMPLICATIONS

None as a direct result of this report

BACKGROUND PAPERS

The South Ribble Report
Lancaster Review (exempt)

Contact Officer: Wendy peck

Telephone: 01524 582317

E-mail: wpeck @lancaster.gov.uk

Ref: WP