

FINANCE AND CORPORATE SERVICES

REPORT OF THE HEAD OF LEGAL SERVICES – D. MICHAEL

15th June 2015

SECTION B - MATTER FOR INFORMATION

WARDS AFFECTED: All

Deregulation Act 2015 update

1. Purpose of Report

To inform members of changes to the taxi and private hire licensing function following the introduction of the Deregulation Act 2015.

2. Background

The Deregulation Act 2015 received Royal Assent on the 26th March 2015; one of the purposes of the Act is to make provision for the reduction of burdens resulting from legislation to businesses, organisations and individuals.

Section 10 and 11 of the Act relate specifically to taxi and private hire licensing and the provision will become effective from the 1st October 2015

3. Section 10 – Taxis and Private Hire Vehicles: Duration of Licences

The Licensing Authority currently has the discretion to issue licences for drivers of hackney carriage and private hire vehicles, of up to 3 years and private hire operator licences up to 5 years; this authority issue such licences for a 1 year period.

The Act amends the existing legislation which will remove the discretion currently available to the Licensing Authority. Consequently, driver licences will be required to be issued for 3 years and operator licences for 5 years. Licences of a shorter duration would only be able to be issued on a case by case basis where the Licensing Authority thinks it appropriate.

It is suggested that examples of the circumstances in which an annual licence may still be issued would include; probationary licences

where members have concerns over an applicant's criminal history; for medical reasons; or, so that licence renewals coincide with DBS expiry dates.

The Licensing Section is undertaking a review of the licensing fees in order to determine an appropriate fee level for the new multi-year licences. These fees will be implemented prior to 1st October 2015.

4. Section 11 – Private Hire Vehicles: Sub Contracting

Existing legislation does not permit a private hire operator licensed in one authority area subcontracting a booking to an operator licensed by another authority.

In simple terms a private hire operator will be able to subcontract a booking to a private hire operator licensed in any other authority area including London and Scotland.

5. Recommendation

That the report be noted

6. Background Papers

Deregulation Act 2015

7. Officer Contact

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8. Wards Affeted

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