

## **REPORT OF LICENSING AND SAFETY COMMITTEE**

### **GENERAL REPORT**

1. This report sets out a brief summary of the main items considered at a meeting of Licensing and Safety Committee held on 11 January 2006.

### **Licence Conditions Relating to Insurance of Licensed Hackney Carriage/Private Hire Vehicles**

2. We received a report of the Director of Legal Services informing us of a problem that has arisen regarding the insuring of licensed vehicles and seeking approval of a new licence condition to address the problem.
3. It is a requirement upon licensing that a hackney carriage or private hire vehicle must have a valid certificate of insurance and produced at the time of being licensed. Often this is a cover note for a period of one month and it is becoming increasingly difficult to identify the proprietors who do not subsequently produce a full certificate of insurance.
4. Currently there is no licence condition making a vehicle proprietor responsible for producing an up to date insurance for the licensed vehicle and often the only time this is checked is when the licence is due for renewal.
5. We agreed to an additional licence condition for both hackney carriage and private hire vehicle. This will ensure that when the insurance is produced with the application for or renewal of a licence is due to expire before the date of expiry of the licence, a current insurance document must be produced either on or before the date when the original insurance expires. It will be the responsibility of the licensee to ensure that a current insurance document is produced to the Licensing Section, failure to do so may result in the suspension of the licence.

### **Licence Conditions Relating to Colour of Licensed Vehicles**

6. We received a report of the Director of Legal Services seeking approval to a change of licence conditions relating to the colour of licensed vehicles.
7. The Council currently has a 'mixed fleet' of hackney carriage (ie London style taxis and other vehicles) the colour difference between hackney carriages and private hire vehicles is of great significance to maintain a distinction between the two to enable members of the public to distinguish between those vehicles that are licensed as hackney carriage vehicles and can ply for hire and private hire vehicles that must be booked in advance.

8. These conditions are no longer effective, because of the various classes of vehicles that have been introduced in recent years making the use of the term 'saloon car' inappropriate as a means of maintaining the colour differential.
9. We agreed to an additional condition that the colour of a hackney carriage vehicle unless a purpose built hackney carriage should be white and the colour of a private hire should not be white.
10. The only exception related to a silver people carrier that is currently a Hackney Carriage but will continue to trade in that colour on the proviso that when the vehicle is replaced it must conform to the new conditions.

### **Amendments to Delegation Scheme - Spent Convictions**

11. We received a report seeking approval to a policy and amendments to the delegation to the Director of Legal Services regarding applications for private hire and hackney carriage vehicle licences where spent convictions exist.
12. The changes would allow officers to have delegated power to issue private hire and hackney carriage drivers licence where convictions would ordinarily be 'spent' under the Rehabilitation of Offenders Act 1974 unless the offence is of a serious nature.
13. We agreed the policy on spent convictions and amendment to the delegated power of the Director of Legal Services and requested the Council to amend the Constitution.

### **Suspension of Private Hire Drivers Licence**

14. We received a report of the Director of Legal Services bringing our attention to the suspension of a Private Hire Drivers licence under delegated powers.
15. We gave consideration to the circumstances leading to the suspension of the licence and in the light of the information available and explanations given by the licensed driver who attended the meeting.
16. The Committee agreed to revoke the private hire drivers licence as we considered him not a fit and proper person to hold a licence and gave our reasons for the decision.

### **Recommendations**

17. The Council is requested to note this report.

18. That approval be given to the amendment of Appendix 2, Part C of the Council's Constitution to enable the Director of Legal Services to deal with the following matters.

5.17 To grant or renew private hire and hackney carriage drivers licence where the convictions would ordinarily be "spent" under the Rehabilitation of Offenders Act 1974 unless the offence is of a serious nature eg offences of a sexual nature, burglary, serious assaults or where the Director of Legal Services is of the view that the offences are relevant to the application eg a series of offences over a number of years.

COUNCILLOR R SNAPE  
Chairman of the Licensing and Safety Committee

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There are no background papers to this report.