

REPORT OF THE EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

LICENSING & REGULATORY COMMITTEE – 3 OCTOBER 2022

PROPOSED DRAFT STATEMENT OF PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING POLICY - EXTENSION OF CONSULTATION PERIOD

1.0 PURPOSE OF THE REPORT

- 1.1** To seek Members' endorsement to the period of consultation regarding the proposed Draft Statement of Private Hire and Hackney Carriage Licensing Policy, ("the Draft Policy"), being extended from 5.00pm on 26th September, 2022 to 5.00pm on 10th October, 2022.

2.0 DESCRIPTION OF DECISION

- 2.1** The Committee is recommended to endorse the decision to extend the period of consultation with all private hire and hackney carriage licence holders and all other relevant stakeholders and consultees on the proposed Draft Policy from 5.00pm on 26th September, 2022 to 5.00pm on 10th October, 2022.

3.0 INTRODUCTION / BACKGROUND

- 3.1** Members will recall that at its recent Meetings of 28th March, 2022 and 25th July, 2022 the Committee considered Reports about the preparation of the Draft Policy. Following statutory guidance issued by the Department for Transport in July, 2020, the Council is in the process of undertaking a public consultation regarding the introduction of a consolidated private hire and hackney carriage licensing policy.
- 3.2** At the Meeting of 25th July, 2022 the Committee was presented with the Draft Policy and resolved as follows, :-
- (a) Subject to any amendments made by Members, the proposed Draft Policy was approved;
 - (b) A period of consultation was to be commenced with all private hire and hackney carriage licence holders and all other relevant stakeholders and consultees on the proposed Draft Policy, with the period of consultation running as from and including 1st August, 2022 until 5.00pm on 26th September, 2022;
 - (c) The Economic Prosperity Scrutiny Committee was to be requested to provide its comments in response to the consultation, with the Draft Policy to be formally considered at its Meeting scheduled for 13th September, 2022;
 - (d) Following Officers' appraisal of all responses received to the consultation a proposed Final Draft Statement of Private Hire and Hackney Carriage Licensing Policy was to be presented to the Committee for its approval at its Meeting of 31st October 2022, ("the Final Draft");
 - (e) Subject to the Committee's consideration and approval of the Final Draft, the Statement of Private Hire and Hackney Carriage Licensing Policy is to be introduced as from and including 1st December, 2022; and
 - (f) Council was recommended to amend the Terms of Reference of the Licensing and Regulatory Committee and the Scheme of Delegation and Appointment of Proper Officers insofar as it relates to the Executive Director of City Development in order for the same to be updated, with the Assistant Director of Law and Governance authorised to amend the Constitution accordingly,

including the making of any consequential amendments. Express reference was to be made to the Committee having responsibility for the following matters, :-

- (1) Determination of the licensing objectives that will form the basis of the Council's Statement of Private Hire and Hackney Carriage Licensing Policy, with the licensing objectives being subject to regular reviews by the Committee, as appropriate; and
- (2) Approval, review and amendment of the Council's Statement of Private Hire and Hackney Carriage Licensing Policy.

The consultation duly commenced on 1st August, 2022 and reports were also prepared for the Economic Prosperity Scrutiny Committee Meeting scheduled for 13th September and Council Meeting scheduled for 14th September, 2022.

3.3 Following the sad passing of Her Majesty the Queen on 8th September, 2022, a period of national mourning was observed until the end of the day of Her Majesty's State Funeral which was held on 19th September, 2022. As a mark of respect, Meetings of the Council, (including Committee Meetings), were postponed until after Her Majesty's State Funeral. As a consequence of this, :-

- (a) The Economic Prosperity Scrutiny Committee Meeting of 13th September, 2022 was postponed and rescheduled for 27th September, 2022. This was the day after the consultation period had closed; and
- (b) The Council Meeting of 14th September, 2022 was postponed and rescheduled for 12th October, 2022.

3.4 Due to the postponement of the Economic Prosperity Scrutiny Committee, the Committee was unable to consider the Draft Policy prior to close of the consultation period originally determined by the Licensing and Regulatory Committee.

3.5 Mindful of the period of national mourning and the importance of the Economic Prosperity Scrutiny Committee having the opportunity to consider the Draft Policy and to provide comments on the same, on 14th September, 2022 Mrs. Marion Dixon, (the Council's Environmental Health, Trading Standards and Licensing Manager), acting on behalf of the Executive Director of City Development, consulted with Councillor Fletcher, (Chair of the Licensing and Regulatory Committee), about extending the consultation period from 5.00pm on 26th September, 2022 to 5.00pm on 10th October, 2022. Given the unprecedented circumstances following the passing of Her Majesty the Queen, Councillor Fletcher was supportive of this proposal, which the Committee is requested to endorse. Extending the consultation period in the circumstances was considered to be reasonable and proportionate, and to have due regard to the period of national mourning. It would also allow the Economic Prosperity Scrutiny Committee to provide comments on the Draft Policy at its rescheduled Meeting of 27th September, 2022.

3.6 As a consequence of extending the consultation period, the following measures were also undertaken, :-

- (a) Members of the Licensing and Regulatory Committee and the Economic Prosperity Scrutiny Committee were advised about the extension and the reasons for the same. This was done via Mr. Matthew Jackson, (Principal Governance Services Officer - Licensing and Regulatory Committee), Mr. Jim Diamond, (Scrutiny Officer – Economic Prosperity Scrutiny Committee);

(b) The individual consultees, as listed in Appendix 1 of the Draft Policy, were also advised about the extension and the reasons for the same; and

(c) A press release was also issued via the Council's Press and Media Section.

These measures were undertaken after Her Majesty the Queen's State Funeral.

4.0 CURRENT POSITION

4.1 The current position is set out in the Report.

5.0 REASONS FOR THE DECISION

5.1 To seek Members' endorsement to the extension of the period of consultation regarding the proposed Draft Statement of Private Hire and Hackney Carriage Licensing Policy from 5.00pm on 26th September, 2022 to 5.00pm on 10th October, 2022. The extension was required due to the unprecedented circumstances following the passing of Her Majesty the Queen on 8th September, 2022.

6.0 ALTERNATIVE OPTIONS

6.1 None submitted. The Licensing and Regulatory Committee is being asked to endorse the extension to the consultation period authorised by the Executive Director of City Development, in consultation with the Chair of the Licensing and Regulatory Committee, in view of the unprecedented circumstances following the passing of Her Majesty the Queen.

7.0 BACKGROUND PAPERS

7.1 None.

