

CHESHIRE EAST COUNCIL

LICENSING COMMITTEE

Date of meeting: 14 January 2009

Report of: A C Lee, Principal Licensing Officer
Crewe & Nantwich Borough Council

Title: Private Hire Vehicle Operator licensing

1.0 Purpose of Report

- 1.1 Cheshire East will be the licensing authority for licensing the functions of private hire vehicles, operators and drivers from 1st April 2009. The report puts forward the proposed conditions to be attached to licences for operators of private hire vehicles.
- 1.2 The proposed conditions are attached at the end of the report.
- 1.3 Separate reports will be brought forward to address driver and vehicle licensing conditions.

2.0 Decision Required

- 2.1 To approve the proposed licence conditions for the purpose of a consultation exercise with the private hire trade.

3.0 Financial Implications for Transition Costs

- 3.1 The costs of the consultation exercise will be met from the existing budgets of the three constituent authorities of Cheshire East.

4.0 Financial Implications 2009/10 and beyond

- 4.1 None

5.0 Legal Implications

- 5.1 If the conditions for licensing private hire operators are not in place by 1st April 2009 Cheshire East will rely on the provisions of the Transitional Regulations¹ in order to perform its statutory function as the licensing authority from Day One.

¹ Local Government (Structure Changes)(Transitional Arrangements)(No.2) Regulations 2008

6.0 Risk Assessment

- 6.1 Failure to carry out a consultation exercise prior to the introduction of the conditions could lead to a legal challenge about their validity.

7.0 Background and Options

- 7.1 A private hire operator licence is required in order to permit bookings to be taken for journeys to be made in a licensed private hire vehicle.
- 7.2 The proposed private hire vehicle operator conditions have been drawn from the conditions currently in force at either one or more of the three constituent authorities of Cheshire East. They have been chosen to reflect the best of the current practices from those authorities.
- 7.3 It is proposed to hold a six week consultation exercise with the existing holders of operator licences at Crewe and Nantwich, Congleton and Macclesfield on the proposed conditions.
- 7.4 The result of the exercise will be reported to a further meeting of the Committee to enable a final decision to be made with a view to their introduction with effect from 1st April 2009.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 The requirement to have private hire vehicle operator licence conditions in place is a Year One requirement.

9.0 Reasons for Recommendation

- 9.1 The recommendation is made with a view to ensuring that Cheshire East is in position to carry out the function of licensing private hire vehicle operators from Day One. It also recognises that the holders of existing licences should have an input and for this reason it recommends the holding of a consultation exercise prior to a final decision being taken by the Committee.

For further information:

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Background Documents:

The current private hire vehicle operator licence conditions of Crewe and Nantwich BC, Congleton BC and Macclesfield BC.

Documents are available for inspection at the respective authorities.