

PUBLIC PROTECTION COMMITTEE

18 AUGUST 2015

Present: County Councillor Parry(Chairperson)
County Councillors Boyle, Bridges, Hudson, Kelloway, Morgan,
Murphy, Phillips and Walsh

83 Apologies for Absence

Apologies were received from Councillor Goddard and Simmons.

84 Declarations of Interest

No declarations of interest were made.

85 Private Hire Operator Licence Fees

Claire Hartrey, Group Leader, Licensing briefed the Committee.

The Deregulation Act 2015 amends the sections of the Local Government (Miscellaneous Provisions) Act 1976 that deal with the duration of private hire vehicles and operators' licences for private hire vehicles. The present practice in Cardiff is to grant these licences for a period of one year only. The amendments made by the Deregulation Act establish a standard duration for a private hire operator's licence of five years. The commencement date for these measures is 1 October 2015. The purpose of this Report was to recommend new licence fees for private hire operators to reflect the change in the duration of a licence. The local authority's policy will have to be changed to reflect the changes. The plan is to set new fees for drivers in September and then review all fees again in April 2016, when the local authority will have a better idea of the impact of the changes. The recommendation being made to the Committee was to approve the proposed fees.

During discussion the following points were made by the Committee:

- This could be a retrograde step as a significant minority of taxi drivers fail to disclose criminal offences they have committed, offences which only come to light at their annual review. The changes will mean that the review period is being extended. The Committee was advised that this point has been made to the Home Office during the consultation, and a number of other local authorities have the same concerns. Disclosure & Barring checks are made on drivers every three years.
- The changes will mean that there is a reduction in fees received by the Council of about 30%. The Committee was advised that the figures have been checked by accountants and that the local authority should be able absorb the reduction in income. If it is found that the fees have been incorrectly set, then there will be an opportunity to recalculate them next year.
- As part of the changes, private hire operators will be able to sub-contract work to other operators. The Committee enquired whether this has been discussed with operators. The Committee was advised that discussion has been held with some

operators and they have said that they will be unlikely to sub-contract. The local authority is still uncertain how often this will occur but there will be built in compliance checks for sub-contractors.

- The Committee asked how the local authority would know whether or not a driver working for a sub-contractor had criminal convictions. The Committee was advised that checks on drivers would have been made by their respective local authorities so the Council is relying on those authorities to make sure that that has been done.
- The Committee asked whether there are any benefits in moving to a five-year licence and was advised that the local authority has no choice on whether or not to move to the new licence period. Other local authorities that at the moment are issuing licenses of a different duration will also have to change to the five-year license.

RESOLVED –

- i. That the Committee approves the proposed licence fees outlined in this Report with an implementation date of 1st October 2015.
- ii. That the Committee authorise the Head of Regulatory Services to carry out the necessary public notice procedure.
- iii. That if objections are received within 28 days of the publication of the notice of the proposed changes to the fees, the matter must come back before the next appropriate Committee meeting so that any such objections can be considered, modifications be considered, and a new date for the introduction of the variations can be set.
- iv. That on 1 October 2015 paragraph 4 of the Taxi Licensing Policy be amended to: 'The Committee considers licences in respect of operating premises within the City and County of Cardiff and issues licences for a maximum duration of 5 years.'
- v. That on 1st October 2015 Condition 1 of the Private Hire Operator Licence Conditions be amended to: 'On payment of the necessary fee, the licence remains in force for a maximum of years.'

The meeting terminated at 11.00 am