

TITLE OF REPORT: REMOVAL OF HACKNEY CARRIAGE ZONES

REPORT OF THE HEAD OF HOUSING AND PUBLIC PROTECTION
PORTFOLIO HOLDER: COUNCILLOR BERNARD LOVEWELL

1. SUMMARY

- 1.1 This purpose of this Report is to ask Council to adopt a formal resolution removing the existing hackney carriage zones.

2. FORWARD PLAN

- 2.1 This report contains a recommendation on a key decision that was first notified in the Forward Plan on 1st September 2010.

3. BACKGROUND

- 3.1 On 23rd November 2010, following a public consultation and presentations from the trade, the Licensing and Appeals Committee supported a new Hackney Carriage and Private Hire Licensing Policy (“the Policy”) that included the removal of existing historic hackney carriage zones.
- 3.2 The Licensing and Appeals Committee referred the Policy to Cabinet with a recommendation that it be adopted.
- 3.3 On 7th December 2010, following a debate which included presentations from the trade, Cabinet resolved to adopt the Policy with effect from 7th January 2011.
- 3.4 In order to fully prepare the trade for this change of Policy, Officers agreed to delay the removal of the existing zones until 4th April 2011. This allowed for further discussions with the trade to ensure that they fully understood the implications of the new policy and that there was a smooth transition to the new arrangements.
- 3.5 As from 4th April 2011, instead of being issued a hackney carriage licence for one particular zone, each hackney carriage will be issued a licence to operate in each of the five zones, thus removing the current zoning restrictions.

4. ISSUES

- 4.1 Whilst the procedure detailed in paragraph 3.5 above will remove the current zoning restrictions in accordance with the new Policy, it is far from ideal. The existing zones would still remain which would have an adverse financial impact on the Council’s administration costs. Additionally, each zone would need to have its own table of fares and table of fees.
- 4.2 In order to fully implement the removal of zones, therefore allowing North Hertfordshire to be considered one single zone with one table of fares and one table of fees, a formal resolution of the Council is required.

- 4.3 Schedule 14, Part 2, Paragraph 25 of the Local Government Act 1972 allows the Council to adopt a formal resolution removing existing zones, thus providing for the whole of North Hertfordshire to be considered as one single licensing zone.
- 4.4 Prior to the adoption of such a resolution, a public notice must be published in a local newspaper for two consecutive weeks. The notice must contain details of the proposed resolution, the implications of the resolution, and the proposed date that the resolution would take effect. The notice must also be served on all parishes effected by the proposed resolution.
- 4.5 A public notice has been published in The Comet (Letchworth and Baldock Edition), The Comet (Hitchin Edition) and The Royston Crow in accordance with the statutory requirements. The notice was also served on all Parish and Town Clerks within North Hertfordshire.
- 4.6 Once adopted, the resolution would formalise the Policy adopted by Cabinet and allow Officers to implement that Policy in the most cost effective manner.

5. LEGAL IMPLICATIONS

- 5.1 Legal implications were included in, and considered as part of, the original Report to the Licensing and Appeals Committee and subsequent referral to Cabinet.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 Financial and risk implications were included in, and considered as part of, the original Report to the Licensing and Appeals Committee and subsequent referral to Cabinet.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 7.1 Human resource and equalities implications were included in, and considered as part of, the original Report to the Licensing and Appeals Committee and subsequent referral to Cabinet.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 8.1 The Policy, as adopted by Cabinet, was subject to a full public consultation.
- 8.2 The Licensing and Appeals Committee considered the responses to the public consultation and received verbal contributions from the trade.
- 8.3 Cabinet considered the recommendations of the Licensing and Appeals Committee and received verbal contributions from the trade.
- 8.4 All Ward Members were advised of the public consultation.

9. RECOMMENDATION

- 9.1 That Council adopt the following resolution:

North Hertfordshire District Council resolve, pursuant to Schedule 14, Part 2, Paragraph 25 of the Local Government Act 1972, that section 171(4) of the Public Health Act 1875 shall apply throughout the District of North Hertfordshire with effect from 9th May 2011.

10. REASONS FOR RECOMMENDATIONS

- 10.1 The adoption of this resolution would give formal effect to the Policy adopted by Cabinet following a public consultation and allow for a more cost effective administrative process for hackney carriage and private hire licensing.

11. ALTERNATIVE OPTIONS CONSIDERED

- 11.1 As detailed in paragraph 3.5 above, full effect can be given to the new Policy without this resolution, however, the Council's administrative costs would be increased due to the requirement for each zone to have its own table of fares and table of fees, each of which would be subject to annual public consultation.

12. APPENDICES

- 12.1 Appendix A: Copy of public notice published in local newspapers and served on all town and parish clerks.

13. CONTACT OFFICERS

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14. BACKGROUND PAPERS (not circulated as part of this Report)

- 14.1 Report to Licensing and Appeals Committee meeting of 23rd November 2010
- 14.2 Referral to Cabinet meeting of 7th December 2010
- 14.3 Statement of Hackney Carriage and Private Hire Licensing Policy 2011-16