



DERBY CITY COUNCIL

## TAXI LICENSING AND APPEALS COMMITTEE 15 October 2008

Report of the Director of Environmental Services

### AMENDMENTS TO DELEGATION OF POWERS

#### RECOMMENDATION

- 1.1 To consider the proposed amendment to delegation of powers.
- 1.2 To recommend approval to Full Council.

#### SUPPORTING INFORMATION

- 2.1 Large numbers of applications and cases concerning existing hackney carriage and private hire vehicles and drivers are being presented to Committee.
- 2.2 The Group Leader of Taxi Licensing is having to schedule a whole day of interviews every three weeks. This subsequently leads to a hearing of the Taxi Licensing Appeals Sub-Committee every three weeks.
- 2.3 Some cases are straight forward and it could be considered unnecessary in these types of cases to present at committee.
- 2.4 The time scales involved in some cases can be excessive, leading to applicants or existing drivers waiting a long period of time before attending committee.
- 2.5 Adoption of the amended scheme of delegation would reduce the applicant's waiting time, making the application process more effective and efficient.
- 2.6 The amendment would ease the workload of both committee members and officers alike.
- 2.7 The proposed scheme of delegation is set out in a clear and concise manner in Appendix 2. Where it is indicated to the officer, it should be taken as a presumption to grant the licence, subject to the remainder of the application being satisfactory.

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<b>Background papers:</b>	None
<b>List of Appendices:</b>	Appendix 1 Implications Appendix 2 Scheme of Delegation

<b>IMPLICATIONS</b>
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**Financial**

1. Delegating powers to the Assistant Director of Environmental Health and Trading Standards would make more efficient use of the resources available.

**Legal**

2. None directly arising.

**Personnel**

3. None directly arising.

**Equalities impact**

4. None directly arising.

**Corporate objectives and priorities for change**

5. Taxi Licensing contributes to the priority of **giving excellent services and value for money.**

## APPENDIX 2

### SCHEME OF DELEGATION

CASES	COMMITTEE	SUB-COMMITTEE	OFFICER *
Implementation/amendment of Taxi Licensing policies	*		
Implementation/amendment of Taxi Licensing conditions or specifications	*		
Minor changes to Private Hire licensing conditions or specifications where the intended meaning of the existing is not materially altered.			*
Convictions of dishonesty or indecency or violence or drunkenness or drugs within the past 7 years		*	
Convictions of dishonesty or indecency or violence or drunkenness or drugs 7 years or older			*
Formal Police Notification through the Occupation Scheme (Home Office Circular)		*	
Disclosure of the Chief Officer of Police where 2 cautions have been issued in past 5 years		*	
Disclosure of the Chief Officer of Police – first caution			*
Traffic offences in past 3 years exceeding 9 points		*	
Traffic offences in past 3 years not exceeding 9 points			*
Traffic offence within last 5 years resulting in disqualification		*	
Traffic offence 5 years or older resulting in disqualification			*
Any breach of the hackney carriage or private hire licensing conditions.		*	
2 minor complaints of a similar nature reflecting on a person's conduct or behaviour, or breaches in licensing conditions in the preceding rolling 12 month period		*	
First minor complaint reflecting on a person's conduct or behaviour, or breach in licensing conditions			*
Revocation of hackney carriage or private hire driver's licence following disqualification and/or revocation of the driver's DVLA driving licence			*
Determination of an application for a hackney carriage or private hire driver's licence following revocation of a previous licence within 3 years.		*	
Determination of an application for a hackney carriage or private hire driver's licence following revocation of a previous licence over 3 years, subject to the remainder of application being satisfactory.			*
Any instance where the licensing officer believes the requirement of the driver being a 'fit and proper' person may be compromised		*	

\*Presumption to grant / renew subject to rest of application being satisfactory (including knowledge test and medical).