

## **LICENSING & APPEALS COMMITTEE – 13 OCTOBER 2004**

### **APPENDIX 3 (b) – ENFORCEMENT PROTOCOL CONSULTATION**

#### **COMMENTS OF THE DERBY HACKNEY UNION (DHU)**

See attached letter

#### **Response from Licensing Manager**

1. The time given for consideration of the Protocol (six weeks ie. 18 June - 31 July 2004) is considered adequate for the DHU to consult its members and respond.
2. Submission of the draft to this Committee prior to commencing the consultation was to allow members to approve the draft for consultation, not to approve a final version.
3. This Committee agreed the proposed implementation date of 1 October 2004.
4. The Protocol sets out the enforcement approach currently taken by the Council; only the Appeals Procedure is new. The aim of the document is to clearly set out what enforcement actions the Council are likely to take in respect of specific situations/breaches of legal requirements, satisfying the aim of 'transparency' in its enforcement policy. It is perhaps because it relates solely to 'enforcement' that the DHU considers it to be 'one-sided'. The document is not intended to address any other Taxi Licensing issue, many of which can be addressed by meetings with trade representatives. The Protocol can only address the Council's enforcement approach, which it does in considerable detail.