



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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Background papers:	None
List of Appendices:	Appendix 1 Implications Appendix 2 Scheme of Delegation

IMPLICATIONS

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 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 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 subject to rest of application being satisfactory (including knowledge test and medical).