

REPORT TO LICENSING COMMITTEE

DATE	27th February 2019
PORTFOLIO	Environment
REPORT AUTHOR	Emma Barker
TEL NO	01282 425011
EMAIL	ebarker@burnley.gov.uk

Amendment to Hackney Carriage Bye Laws**PURPOSE**

1. For Licensing Committee to consider proposed amendments to the Hackney Carriage Bye Laws.

RECOMMENDATION

2. That Committee recommend to Council approval of the proposed changes to the Burnley Hackney Carriage Bye Laws. (Appendix 'B')

REASONS FOR RECOMMENDATION

3. To ensure that the bye laws accurately reflect the requirements of the Council with regard to driver training, behaviour and customer care.

SUMMARY OF KEY POINTS

4. Unlike private hire driver's licences, legislation prevents the Council from imposing conditions on a hackney carriage driver's licence. The only way that holders of hackney driver's licences can be the subject of legal requirements is by way of hackney carriage bye laws.
5. Burnley's hackney carriage bye laws have not been updated since 6th October 1978 and do not accurately reflect modern day requirements for the control of hackney driver's behaviour.
6. The changes are necessary in order to reflect changes to private hire driver conditions that have previously been approved by licensing committee.
7. The amended byelaws were recommended for Council approval by the Licensing Committee on the 27th October 2016 and subsequently approved by Full Council on the 21st December 2016. The byelaws then needed approval from the Secretary of State.

8. Since that date, dialogue has taken place between the Council and the Secretary of State and some minor amendments have been made to the original version which came before committee in October 2016, namely: -
- Byelaw 11 now refers to anti-smoking legislation and electronic smoking devices.
 - Byelaws 18/19 has been worded to make it more understandable but the content has the same meaning as before
 - Byelaws 23/24 in relation to fares were included in the model byelaws from the Secretary of State and needed adding to the Council's byelaws.
9. The byelaws which were put before committee in October 2016 are attached to this report as Appendix A and the amended version (amendments highlighted) as Appendix B.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

11. Nil

POLICY IMPLICATIONS

12. Nil

DETAILS OF CONSULTATION

13. The proposed changes have previously been the subject of licensing committee reports that have been approved by licensing committee and full consultation was carried out with the taxi and private hire trade.

BACKGROUND PAPERS

14. None

FURTHER INFORMATION

PLEASE CONTACT:

Emma Barker

ALSO: