

EAST HERTS COUNCIL

LICENSING COMMITTEE – 16 MARCH 2017

REPORT BY HEAD OF HOUSING AND HEALTH

AMENDMENTS TO LICENSING RECORD POINTS SCHEME

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To inform the Licensing Committee of minor updates to Licensing Records Points Scheme which have been made so it remains fit for purpose.

RECOMMENDATION FOR LICENSING COMMITTEE: That	
(A)	The minor updates be noted and the Head of Housing and Health be advised of Members' comments.

1.0 Background

1.1 East Herts, as an authority that licenses hackney carriage and private hire drivers, vehicles and operators, can set its own criteria to ensure the safety of the public.

1.2 The policies, conditions and schemes that have been put in place to ensure public safety are reviewed regularly and updated as and when necessary to ensure they are effective.

2.0 Report

2.1 The Licensing Records Point Scheme was introduced as an aid to compliance. It details both legislative and policy matters and a range of penalty points that can be applied for breaches of regulations where appropriate.

2.2 In order for the policy to be enforceable there must be a route of appeal and this has been in place from the time that the scheme came into operation.

- 2.3 As other updates were required to the policy it seemed appropriate to add an additional paragraph clearly detailing the appeals process.
- 2.4 Other minor updates have been made to the wording of the original 11 paragraphs in order to keep them accurate and these can be found at **Essential Reference Paper 'B'**.
- 2.5 The scheme currently details four offences under the Disability Discrimination Act 1995 but this Act has been repealed and replaced by the Equality Act 2010.
- 2.6 The same offences that were detailed in the DDA 1995 appear in the Equality Act 2010, if slightly revised to reflect the difference between Hackney Carriages and Private Hire. The new legislation also imposed an explicit responsibility on Private Hire Operators to not discriminate against persons wishing to be accompanied by assistance dogs. The changes to the scheme can be seen at **Essential Reference Paper 'C'**.
- 2.7 In the last 12 months 73 drivers have received a total of 266 licensing record points between them. With the average number of drivers licenses held during this period being 327 this equates 22.3% of our licensed drivers receiving licensing record points.
- 2.8 Of these only two drivers have received twelve or more and been required to attend Licensing Sub-Committee. One driver was revoked and the other had the time the points remained live extended from 2 years to three years.
- 2.9 A full review of the scheme is planned for later this year.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None.

Contact Member: Councillor Graham McAndrew – Executive Member for Environment and the Public Space.

Contact Officer: Jonathan Geall – Head of Housing and Health, Extn: 1594.

Report Author:

Oliver Rawlings – Senior Specialist Licensing
Officer, Extn: 1629.