

**REPORT TITLE:** Officer Delegation for minor policy and process changes – Hackney Carriage and Private Hire Licensing  
 Licensing and Safety Committee – Wednesday 14<sup>th</sup> January 2024

<b>Cabinet date</b>	<b>N/A</b>
<b>Cabinet Member</b>	<b>Councillor Mussarat Pervaiz</b>
<b>Key Decision Eligible for Call In</b>	<b>No No</b>
<p><b>Purpose of Report</b> The purpose of the report is to ask members to delegate policy and process changes to the head of public protection in conjunction with the Chair of the Licensing and Safety Committee where the changes are minor and will not negatively affect the licensed trade.</p>	
<p><b>Recommendations</b></p> <ul style="list-style-type: none"> <li>Members note the report</li> <li>Members resolve to agree to delegate minor changes to hackney carriage and private hire policies and procedures to the Head of Service in conjunction with the Chair of the Licensing and Safety Committee.</li> </ul> <p><b>Reasons for Recommendations</b></p> <ul style="list-style-type: none"> <li>To enable the service to enact minor changes to the policy and procedures where there are no negative impacts to the licensed trade in order to simplify the process and to avoid unnecessary costs to the service involved in consultations and bringing reports to the Licensing and Safety Committee for decisions.</li> </ul>	
<p><b>Resource Implications:</b>          If members are minded to agree to the proposal this will have a positive impact on resources, both financial and human resources.</p>	
<p><b>Date signed off by <u>Strategic Director</u> &amp; name</b></p> <p><b>Is it also signed off by the Service Director for Finance?</b></p> <p><b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b></p>	<p>Rachel Spencer-Henshall – 26.01.2024</p> <p>Isabel Brittain – 31.01.2024</p> <p>Julie Muscroft – 26.01.2024</p>

**Electoral wards affected:** All

**Ward councillors consulted:** No

**Public or private:** Public

**Has GDPR been considered?** Yes, there is no personal information contained in this report.

## **1. Executive Summary**

1.1 Currently delegation for all policy changes sits with the licensing and safety committee.

## **2. Information required to take a decision**

2.1 Currently for all policy and procedure changes that are written into the hackney carriage and private hire licensing policy. Changes require member approval in accordance delegations in the constitution.

2.2 It is accepted that major amendments to policy should be consulted on and taken to licensing committee for decision. However, there are occasions where minor amendments, that would not adversely affect the hackney carriage and private hire trade, specific to processes and minor policy changes are required.

2.3 Where a change is minor the process to consult and bring a report to members is time consuming and costly for the Council.

2.4 It is requested that minor changes to policies and procedures be delegated to the Head of Service in conjunction with the Chair of the Licensing and Safety Committee. Where the chair of the licensing and safety committee deems the proposed change to be major rather than minor it will follow the existing process and be brought to members for consideration and where required full consultation.

## **3. Implications for the Council**

### **3.1 Working with People**

One of the Licensing Services key priorities is to ensure that we maintain our high standards across the private hire and hackney carriage trades in order to protect the travelling public and ensure residents of Kirklees and the whole of West Yorkshire are transported safely and protected from harm and that they experience a high quality, clean, sustainable and green environment, as well as improve the customer experience.

### **3.2 Working with Partners**

In developing its policies, the licensing service works with a number of partners, including but not limited to Kirklees safeguarding children's board, West Yorkshire Police, Public Health, Environmental Health, Community Safety Partnership, other West Yorkshire licensing authorities, and so on.

### **3.3 Place Based Working**

There is no specific impact on place-based working in the context of this report.

### **3.4 Climate Change and Air Quality**

There is no impact on climate change and air quality in relation to this report.

### **3.5 Improving outcomes for children**

The Council wants to ensure children have the best start in life and to ensure that the people of Kirklees feel safe and are protected from harm. The Council has a duty to protect the travelling public and safeguard children travelling in licensed vehicles, in particular when travelling alone for the purpose of home to school transport.

### **3.6 Financial Implications**

If members resolve to agree to the proposal, it will be a positive financial decision as completing consultations, reports and holding committees bears a cost to the council.

### **3.7 Legal Implications**

#### Legal

Any changes to decision making will require amendment within the council's constitution / scheme of delegation.

### **3.8 Other (eg Risk, Integrated Impact Assessment or Human Resources)**

#### IIA

There is no requirement for an IIA in relation to this report.

#### Human Resources

If members resolve to agree to the proposed changes this will have a positive effect on human resources within the council, it will save officer time both within the service and within Governance.

## **4. Consultation**

No consultation has been carried out.

## **5. Engagement**

No engagement has been carried out.

## **6. Options**

### **6.1 Options considered**

It is recommended that members: -

- a) Note the report.
- b) Resolve to agree to delegate minor changes to hackney carriage and private hire policies and procedures to the Head of Service in conjunction with the Chair of the Licensing and Safety Committee where there are no negative implications to the licensed trade.

### **6.2 Reasons for recommended option**

- To simplify the process of making minor amendments to the policy and procedure

- To avoid unnecessary costs associated with consultations and committee meetings.

## **7. Next steps and timelines**

7.1 Members are asked to consider the proposal and agree to resolve that minor policy and procedure changes within the hackney carriage and private hire licensing service be delegated to the Head of Service in conjunction with the Chair of the licensing and safety committee.

## **8. Contact officer**

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## **9. Background Papers and History of Decisions**

Not Applicable

## **10. Appendices**

Not applicable

## **11. Service Director responsible**

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