



Committee and Date
Strategic Licensing
Committee
5 September 2012

Item
6
Public

**COUNCIL RESPONSE TO THE LAW COMMISSION'S CONSULTATION PAPER
NO. 203 ON REFORMING THE LAW OF TAXI AND PRIVATE HIRE SERVICES**

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1. Summary

- 1.1** On the 25 July 2012, Cabinet agreed that the response, on behalf of the Council, to the Law Commission's Consultation Paper No. 203 on Reforming the Law of Taxi and Private Hire Services shall be delegated to the Strategic Licensing Committee following consultation with the Portfolio Holder for Health and Well-being (Cllr Steve Charmley).
- 1.2** This report provides the proposed response (see Appendix 1).

2. Recommendation

- 2.1** That the proposed response, on behalf of the Council, to the Law Commission's Consultation Paper No. 203 on Reforming the Law of Taxi and Private Hire Services is agreed and forwarded to the Law Commission by the 10 September 2012.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1** The aim of the proposed recommendation is to ensure that the Council's views concerning the reform of taxi and private hire services are fully expressed to the Law Commission within the permitted consultation period. This period was initially from 10 May 2012 to 10 August 2012; the final date has now been extended to the 10 September 2012.
- 3.2** There is no requirement for the Council to consult other parties on this matter. Other interested parties likely to be affected, e.g. taxi and private hire services, the Department for Transport, other local authorities, etc. have the right to respond to the Law Commission directly with their own comments.
- 3.4** An equalities impact needs assessment (EINA) has not been carried out as it is not the Council that will make decisions to propose changes to policies, procedures and practices; this will be the role of the Law Commission as a result of the responses it receives from interested parties such as the Council. The Law Commission will produce its final report, which will include a draft Bill, in November 2013.
- 3.5** There are no anticipated environmental or other community consequences associated with this report.
- 3.6** Based on the information above, the proposed recommendation is unlikely to result in any adverse implications under the Human Rights Act 1998.

4. Financial Implications

- 4.1** There are no financial implications associated with the recommendation of this report.

5. Background

- 5.1** The consultation paper confirms that the Law Commission's terms of reference are:-

“To review the law relating to the regulation of taxis and private hire vehicles, with a view to its modernisation and simplification, having due regard to the

potential advantages of deregulation in reducing the burdens on business and increasing economic efficiency.”

- 5.2** There are 72 provisional proposals within the consultation paper together with 73 specific questions and the opportunity to provide additional comments where this is deemed relevant.
- 5.3** At the meeting on the 13 June 2012, the Strategic Licensing Committee created a task and finish working group comprising five members (Cllr Tim Barker (chair), Cllr Peter Adams (vice chair), Cllr Beverley Baker, Cllr Vernon Bushell and Cllr Rosanna Taylor-Smith) to consider the detail of the consultation paper and to provide an appropriate response. Support was provided by licensing officers and a representative from Legal & Democratic Services. Consultation with the Portfolio Holder for Health and Well-being (Cllr Steve Charmley) has also been undertaken.

6. Additional Information

None

List of Background Papers

Law Commission Consultation Paper No 203 – Reforming the Law of Taxi and Private Hire Services

Cabinet Member (Portfolio Holder)

Cllr Steve Charmley

Local Member

None

Appendices

Appendix 1 - Proposed response to the Law Commission’s Consultation Paper No. 203 on Reforming the Law of Taxi and Private Hire Services