

ITEM NO: 6

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	REVISED CONSULTATION ARRANGEMENTS FOR THE TAXI AND PRIVATE HIRE TRADE		
DATE OF DECISION:	26 TH AUGUST 2009		
REPORT OF:	SOLICITOR TO THE COUNCIL		
AUTHOR:	Name:	RICHARD IVORY	Tel: 023 8083 2794
	E-mail:	richard.ivory@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

NONE

SUMMARY

Members are asked to consider replacing the current formal consultation arrangements scheme in the light of changes that have taken place in the trade and technology since the previous arrangements were agreed in 2002.

RECOMMENDATIONS:

- (i) That formal consultation meetings take place with recognised trade representatives on any significant matter of licensing policy or changes to conditions and at least every six months, subject to the conditions detailed in Appendix 1
- (ii) In addition to the above formal consultation arrangements, that in relation to any significant matter that all licensed drivers and operators be written to directly and that the communication be placed on the Licensing notice board at Southampton Online.

REASONS FOR REPORT RECOMMENDATIONS

1. It is obviously good practice to ensure that all those who are potentially affected by any new policies or changes to Terms and Conditions of their licence are consulted with before the matter is formally considered by the Licensing Committee. The proposals are intended to ensure recognised best practice continues and that all those interested, both those represented by organisations recognised by the Council, and individuals, are able to give their opinions equally during any consultation.

CONSULTATION

2. Copies of these proposals will be sent to the organisations currently recognised by the Council and also placed on the Licensing notice board for four weeks. Any negative responses received will be reported to the next Licensing Committee for consideration.
3. Should there be no negative responses then the consultation process will come into immediate effect.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. The Council could continue with the current arrangements resolved by the former Licensing and Public Safety Panel in 2002 but in officer's opinion these arrangements have become outdated, discredited and are long overdue for revision.

DETAIL

5. Attached at Appendix 2 is a full copy of the report to the former Licensing and Public Safety Panel back in June 2002 whereby it resolved a very stringent and onerous set of conditions in relation to formal arrangements for consultations with the trade. In short, time has moved on and the arrangements previously agreed to are overly burdensome on the trade, members and officers.

6. Accordingly, it is proposed that a simple procedure be put in place which enables regular formal consultation meetings to be undertaken with recognised organisations and ad hoc consultations in respect of specific issues that require discussion.

7. It was envisaged that revised proposals would be brought before the committee a while ago, but it has taken a rather long time to find out exactly which licensed drivers are represented by the various trade organisations. Officers have requested full details of who exactly represents who and it has taken over a year to ensure all the correct information is forthcoming. As a result, on the information provided to officers, the following trade organisations and the approximate percentage of the trade that they represent are detailed below. However it should be noted that at the date of submitting this report Southampton Taxi Association is still to submit the relevant information in the required format.

8.	Southampton Hackney Association	9.5%
	Unite	6.0%
	Southampton Taxi Association	11.5%
	Southampton Private Hire Association	9.8%

9. From this members will readily see that only approximately 40% of the trade are represented by organisations, therefore, whilst it is important that there are formal consultations arrangements, members will of course be cognisant that those organisations only represent the minority of the trade, the balance of whom prefer to either not be represented by somebody else or to look after their own interests. It is important that consultation is also undertaken with those licence holders. Accordingly, it is proposed to personally write to all holders on matters of importance together with that communication being placed on the Licensing notice board at Southampton Online.

10. It is proposed that a simple set of rules to enable organisations to become part of the formal consultation arrangements be agreed as detailed in Appendix 1.

FINANCIAL/RESOURCE IMPLICATIONS

Capital

11. None

Revenue

12. None

Property

13. None

Other

14. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. Section 111 Local Government Act 1972

Other Legal Implications:

16. None.

POLICY FRAMEWORK IMPLICATIONS

17. The recommendations contained in this report are in line with the Council's Policy Framework.

SUPPORTING DOCUMENTATION

Appendices

1.	Rules and Criteria governing the trade consultation arrangements for the future
2.	Former report to Licensing and Public Safety Panel 2002.

Documents In Members' Rooms

1.	
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Background Documents

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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Background documents available for inspection at:

FORWARD PLAN No:

KEY DECISION?

n/a

WARDS/COMMUNITIES AFFECTED:	None
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