



Report to the Licensing Committee

Date of meeting: 18 October 2017

Subject: Issues Raised by Harlow District Council.

Responsible Officer: Jim Nolan (01992 564083).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation(s):

(1) To note the issues and concerns raised by Harlow District Council.

Report:

1. Officers have received an email from the licensing section at Harlow District Council who are experiencing an increased number of hackney carriage vehicles/drivers licensed by Epping working for a Harlow based operator. Metro Cabs is one of Harlow's two main public hire operators. Harlow's other large operator, ABC, has indicated that they intend to start operating in the same way. This is causing some concern within the trade in Harlow and their Members are taking a keen interest in the matter.

2. This is a complicated matter, therefore Officers sought an opinion from James Button & Co and this is reproduced below:

"Since 1st October 2015 a private hire operator in one district can sub-contract a booking to an operator licensed either in his district, or elsewhere (Greater London, any district in England or Wales except Plymouth, or Scotland). The sub-contracting operator must still dispatch a private hire vehicle and private hire driver both licensed by the same authority as the subcontracting officer.

The position with hackney carriages is slightly different, and has been the same since the private hire legislation was first made available in 1976. A hackney carriage can undertake pre-booked work within the district in which it is licensed, or anywhere else in England or Wales. There is no requirement for a booking agent for hackney carriages to be licensed, and such a person can take bookings for, and dispatch hackney carriages licensed anywhere in England or Wales (including Plymouth and Greater London). The hackney carriage must be driven by a hackney carriage driver licensed by the same authority that licensed the vehicle.

Therefore, a private hire operator can do the same.

This means that the Harlow operator can use Epping Forest hackney carriages to undertake pre-booked work in Harlow."

3. There is some prospect of the law being changed on cross border hiring but until that happens, there isn't much we can do. However, Officers were requested to bring the situation to the attention of the Committee.

4. In addition some Epping Forest licensed drivers are removing their hackney carriage roof signs and replacing them with 'Metro' roof signs when driving around Harlow; this contravenes our regulations and Officers have taken steps to address it.

5. Harlow Officers have also highlighted a recent case where a driver who had his licence revoked by Harlow, was recently licensed by Epping Forest and is now working for ABC in Harlow. Members are asked to consider any implications which may arise from this.