
DECISION - MAKER:	LICENSING COMMITTEE
DATE OF DECISION:	WEDNESDAY 28TH JUNE 2006
SUBJECT:	DELEGATED POWERS IN RELATION TO VARIATIONS IN PRIVATE HIRE VEHICLE LICENCE CONDITIONS
REPORT OF:	SOLICITOR TO THE COUNCIL
AUTHOR AND CONTACT DETAILS:	PHILIP HALL (telephone 8083 2704) (e-mail: phil.hall@southampton.gov.uk)

A. PURPOSE OF REPORT

To consider and determine a request by the Solicitor to the Council to vary the conditions on private hire drivers who have reached the age of 70 years by means of delegated powers.

B. REPORT RECOMMENDATIONS

The Sub Committee has the power to delegate any of its decision making powers to officers. It is recommended that this particular requirement to bring each application before the Sub Committee for consideration be delegated to the Solicitor to the Council

SUMMARY

1. Officers currently report to the sub-committee in relation to drivers over the age of 70 years for approval to renew existing licenses. In all cases these drivers have been to their own doctors for the relevant medical examination and invariably have been declared fit. The professional medical standard applied is the same as for HGV and PCV drivers. In view of the fact that these drivers have already undergone full medical checks and have been approved by medical experts to drive there is often little or no discretion for the Committee to refuse to renew in such circumstances. As a result it is suggested that the renewal application process be altered in order to allow delegated authority to the Solicitor to the Council for the renewal of licences in these circumstances. This will facilitate a more streamlined and cost efficient process.
2. The application and assessment as to whether the applicant is a fit and proper person to drive a licensed vehicle will only be considered if a full and acceptable medical report is produced. In the event of dispute the application will be referred to the Council's Occupational Health Unit for a second opinion and then in turn back to the Sub-Committee after the second opinion has been sought.

BACKGROUND & REPORT DETAILS

3. The Sub Committee will be aware that hackney carriage drivers must be "fit and proper persons" to hold such a licence and that the Council's licensing function is to protect the public, not to provide employment opportunities.
4. The City Council require that an applicant for a hackney carriage / private hire drivers licence must satisfy the Council that he or she is no more than 70 years of age.
5. The Licensing General Sub Committee has resolved that future applications from the age of 70 years will require consideration.

POLICY FRAMEWORK IMPLICATIONS

6. The decision to determine the application in the manner set out in this report is not contrary to the Council's policy framework.

FINANCIAL IMPLICATIONS

7. Not applicable.

CONSULTATION AND CONCLUSIONS

8. Not applicable

Documents in Members Rooms

None

BACKGROUND PAPERS

Title of Background Paper

Relevant Paragraph of AIP Rules allowing document to be Exempt/ Confidential (if applicable)

Current Driver Age Policy – [date]

ITEM NO:

TO BE DETACHED & RETAINED BY DEMOCRATIC SUPPORT BEFORE
PUBLICATION