

		<b>Regulatory Committee</b> <b>10th November 2008</b>	<b>Agenda Item No.</b>
<b>Title</b>		Ratification of previous decision to amalgamate taxi zones	
<b>For further information about this report please contact</b>		David Davies, Licensing Services Manager, Members' Services. Tel: 01926 456107. david.davies@warwickdc.gov.uk	
<b>Service Area</b>		Members' Services	
<b>Wards of the District directly affected</b>		None	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006</b>		No	
<b>Date and meeting when issue was last considered and relevant minute number</b>		N/A	
<b>Background Papers</b>		None	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No

<b>Officer/Councillor Approval</b>		
With regard to officer approval all reports <u>must</u> be approved by the report author's relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Relevant Director	04.11.2008	Robert Inman
Chief Executive		
CMT		
Section 151 Officer		
Legal	04.11.2008	John Gregory / Max Howarth
Finance	04.11.2008	Andy Crump
Portfolio Holder(s)	04.11.2008	Councillor Kinson
<b>Consultation Undertaken</b>		
None		
<b>Final Decision?</b>		Yes
<b>Suggested next steps (if not final decision please set out below)</b>		

## **1. SUMMARY**

- 1.1 To ratify a decision taken by the Regulatory Committee to amalgamate the taxi zones in Warwick District.

## **2. RECOMMENDATION**

- 2.1 Members are asked to formally resolve to adopt the provisions of Section 171(4) of the Public Health Act 1875 (as amended) to the whole of the District and, if so, to authorise the officers to give notice of the fact in the prescribed way.

## **3. REASONS FOR THE RECOMMENDATION**

- 3.1 A report was submitted on 30th July 2008 explaining the suggested amalgamation of taxi zones from the current four zones (Warwick, Kenilworth, Leamington and Rural) to one zone (Appendix 1).
- 3.2 It was resolved at the meeting that “(1) the principle to apply the provisions of 171(4) of the Public Act 1875 to the whole of the District in relation to deregulation be approved. (2) officers be authorised to give the required notice of the deregulation; and (3) a further report be submitted to the Committee in due course.”
- 3.3 The resolution was advertised, as required, on two consecutive weeks in a local paper after the meeting in July 2007. A full consultation with drivers and all councils had been undertaken, the results of which were attached to the agenda of the meeting on 30th July 2007.
- 3.4 Section 2:14 of the attached report refers to the Secretary of States approval being required to finalise the resolution. This was initially requested, but, after being advised by the Department for Transport that new legislation was being brought in to take away this requirement, the request for permission was withdrawn.
- 3.5 The legislation called The Legislative Reform (Local Authority Consent Requirements) (England and Wales) Order 2008 has now finally been introduced from 30th October 2008.
- 3.6 The order effectively gives power to local authorities to bring their resolution into force no earlier than 35 days after the date of the order.
- 3.7 Information did not reach officers about the new legislation until after the agenda had been sent out for this meeting, but it is considered urgent enough to be a special case. The reasons have been explained to the Vice Chair of the Regulatory Committee (as the Chair is unavailable) who is in agreement with the adding of this report for consideration.
- 3.8 It is proposed that, should the Committee agree, the start date for the amalgamation should be 1st January 2009. This will give officers ample time to circulate all hackney carriage proprietors with full information and for it to be advertised in the press.
- 3.9 Sections 2:11 and 2:12 of the attached report refer to conditions having been drawn up to replace bylaws. These were accepted members at the previous meeting by resolving “that the guidance notes and conditions for Hackney Carriage/Private Hire owners operators and drivers attached as an appendix to the report, be approved.”

4. **ALTERNATIVE OPTION CONSIDERED**

4.1 The alternative is to leave the current policy in place.

5. **BUDGETARY FRAMEWORK**

5.1 This report has no budgetary considerations for the Council, save for the cost of the advertisement.

6. **POLICY FRAMEWORK**

6.1 None

7. **BACKGROUND**

7.1 None.