

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

**TOWN POLICE CLAUSES ACT 1847 AND THE LOCAL GOVERNMENT
(MISCELLANEOUS) PROVISIONS ACT 1976
INSTITUTE OF LICENSING – GUIDANCE ON DETERMINING THE SUITABILITY
OF APPLICANTS AND LICENSEES IN THE HACKNEY AND PRIVATE HIRE
TRADES**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform members of the Guidance on determining the suitability of applicants and licensees in hackney and private hire trades produced by the Institute of Licensing (IoL), Lawyers in Local Government (LLG), National Association of Licensing Enforcement Officers (NALEO) and the Local Government Association (LGA); and recommend the adoption of the updated guidance by the Council.

2. BACKGROUND INFORMATION

- 2.1 The Guidance on determining the suitability of applicants and licensees in hackney and private hire trades was first published by the Institute of Licensing in consultation with the LLG, NALEO and the LGA in 2018 and subsequently adopted by the Council.
- 2.2 The guidance makes a number of recommendations relating to how Council's deal with the fitness and propriety of applicants for vehicle, drivers and operators licenses. A copy of the updated guidance is attached to this report as Appendix A and a copy of the 2018 guidance is attached at Appendix B.
- 2.3 North Lincolnshire Council already has a comprehensive licensing policy covering the fitness of applicants and guidance for members, and while this guidance does not replace the policy it can be seen as supplementary and support our current tests.
- 2.4 It is therefore proposed the Council adopts the Guidance when making decisions in addition to the Council's current licensing policy. In adopting the updated guidance it is suggested that where the policy or the guidance is of a higher standard that that provision be adopted. The result will be that we maintain the current standards and adopt higher standards in line with national guidelines.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – Adopt the guidance in addition to the current licensing policy.
- 3.2 Option 2 – Maintain the current policy and not adopt the updated guidance.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – Adopting the amended guidance will allow the Council to maintain the highest standards. The current policy provides a high level of protection for the public, however adopting the guidance (which would be supplementary to our licensing policy) would enable the Council to adopt the higher standard adopted from either document. This would further assist in protecting the public of North Lincolnshire.
- 4.2 Option 2 – Maintaining the current standards still enables the Council to protect the public, however the national guidance would not be implemented.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 There are no financial, staffing, property or IT implications from this report.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT

- 6.1 Not applicable

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED

- 7.1 No consultation has been carried out regarding this report.

8. RECOMMENDATIONS

- 8.1 That the guidance be adopted in accordance with Option 1 of this report.

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