

Hackney Carriage and Private Hire Licensing Policy

Schedule 6

Terms of Reference

Chesterfield Borough Council Hackney Carriage and Private Hire Consultative Committee

Purpose of the Committee

The Consultative Committee will meet with local representatives of the taxi trade to discuss matters of mutual concern and interest relating to the licensing of vehicles, drivers and operators.

The Committee is an informal consultative body and not a decision making body (nor is it a Committee or Sub-Committee of the Council, Cabinet or of any other Council Committee) as this responsibility lies with the Appeals and Regulatory Committee or the delegated Council officer, but would be used for first stage consultation on any proposals by either the Council or the taxi trade.

Individual grievances are not issues for the Committee and should be raised with the Council on an individual basis.

The Consultative Committee will act as a representative body for the whole hackney carriage and private hire trade, ensuring consultation with all licence holders to enable the Council to make fully informed decisions.

Membership of the Committee

The Committee shall comprise of 3 hackney carriage licence holders (persons who drive or own a hackney carriage) and 3 private hire licence holders (persons who operate or drive or own a private hire vehicle) licensed by the Council and 3 elected members of the Council selected in accordance with the political balance of the Council.

Nominations for the 6 places allocated to members of the trade shall be invited once every two years, to be made in writing, specifying whether as a hackney carriage licence holder or private hire licence holder, with each nomination requiring the written support of 10 other licence holders (hackney carriage or private hire as appropriate).

Of the 6 places allocated to members of the trade, 2 of those places should, if nominations are made, be filled by trade members who represent minority ethnic members of the trade (one from each of the hackney carriage and private hire sections).

If more than 6 trade members are nominated for membership of the Committee, all of those nominated will be invited to consider agreeing which 6 nominations to put forward to the Council, subject to at least 2 places being filled by members who represent minority ethnic members of the trade if such nominations are made (as above). In the event of there not being majority agreement of all those nominated, the elected members of the Council who are members of the Committee will decide which trade members shall be appointed having regard to achieving as wide a representation as possible from different operators and drivers and to equalities issues.

There will be opportunity for appointing one reserve for each section (hackney carriage or private hire) who can attend in the absence of one of the other 3 representatives.

The Committee shall not include as a member any elected member of the Council who is a member of the Appeals and Regulatory Committee or who is a licence holder or any elected member of the Council whose spouse, civil partner, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece (including relationships by blood, marriage and civil partnership) is a licence holder. Spouse or civil partner includes a relationship of living together as if they were husband and wife or living together as if they were civil partners.

Officers of the Council will attend the Committee to advise the Committee members. In addition, officers from other organisations such as the Police, DCC (Highways) etc. may be invited to attend as necessary.

Members shall retire after two years and shall be eligible for re-appointment.

Members of the Committee that fail to attend without good reason for two consecutive meetings will forfeit their place. Members must attend in person to contribute to the meetings.

The quorum for a meeting of the Committee shall be 3 members of which at least one member must be an elected member of the Council.

Role of Members

To assist with representing the views of the trade as a whole and to report back to them any progress.

To assist with disseminating information to the trade to ensure that all licence holders are fully informed of the Council's policies and procedures.

Chairperson

The Chairperson and Vice Chairperson of the Committee will be members of the Council, appointed annually by the Leader.

The Chairperson will ensure that all views are heard and recorded in an accurate manner.

The Chairperson will ensure that the recommendations of the Committee are forwarded to the Licensing Manager and the Appeals & Regulatory Committee.

Frequency of Meetings

The Committee will meet at least four times per calendar year and at shorter intervals as deemed necessary.

Secretarial Support

Committee meetings will be primarily held at the Council's Offices or at alternative venues with appropriate notice.

The Council will make arrangements to record and reproduce minutes of full Committee meetings.

Notification of each meeting of the Consultative Committee, including an agenda and minutes of the previous meeting, will be published on the Council's website and distributed to members of the Committee at least one week prior to the meeting.

Reporting Mechanisms

Any recommendations from the Committee will be considered by the Council's Appeals and Regulatory Committee.

Where appropriate, the recommendation will be supported by a full report of the issues considered and the reasons for the recommendation. This may involve details of the consultation undertaken with the trade as a whole.

Once the Appeals and Regulatory Committee have considered a recommendation, a response will be sent to the Committee in the first instance for dissemination to the trade.

Transparency

The Committee is expected to be open, transparent and accountable. The Committee should ensure that all interests have a voice where necessary and that hard to reach groups are engaged and represented.

Amendment of the Terms of Reference and Dissolution

The power to amend the Committee's Terms of Reference is delegated by the Council to the Appeals and Regulatory Committee.

The Committee may only be dissolved by a resolution of the Council.