

JOINT WARRANTING

Executive Summary

The purpose of this report is to seek approval for making arrangements between Surrey Licensing Authorities to introduce joint warranting for Licensing Officers to enable improved enforcement of the taxi and private hire trade across the County.

Recommendations

The Committee is requested to:

RESOLVE That

- (i) authority be given to a scheme of delegations whereupon Licensing Officers from neighbouring Surrey Authorities are given authorisation to carry out requisite enforcement on Woking licenced vehicles and drivers.

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: None.

Reporting Person: Matthew Cobb, Senior Licensing Officer
Email: matthew.cobb@woking.gov.uk, Extn: 3650

Contact Person: Matthew Cobb, Senior Licensing Officer
Email: matthew.cobb@woking.gov.uk, Extn: 3650

Date Published: 3 June 2019

1.0 Introduction

- 1.1 Taxi and Private Hire Vehicles are licensed by Local Authorities under powers arising from the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976.
- 1.2 The legislation gives a power for an officer authorised by a local authority to inspect vehicles and take enforcement action against drivers and vehicles licensed by that authority, including the immediate suspension of vehicles for reasons of public safety.
- 1.3 However as there is no geographical restriction on where a licensed vehicle can travel, journeys can and often do start and/or finish outside their licensed area. This means that often authorised officers of one authority will regularly come across vehicles licenced by another authorities operating in their areas.

2.0 Background and issues

- 2.1 Officers only have the legal power to inspect and take action against vehicles if they have been authorised in writing by the authority which licensed that vehicle. As such, officer in one authority will not have the power to inspect or take action against the number of vehicles operating in its area which are licensed by other authorities.
- 2.2 This can lead to situations where officers in one authority, for example Guildford, are unable to take action against a vehicle licensed by another authority which may be defective, despite the vehicle being present and operating in Guildford. This could lead to a situation where a defective vehicle continues to operate, potentially endangering public safety and undermining public confidence in the licensed taxi trade.
- 2.3 It is therefore considered necessary to enable a scheme of joint warranting across Surrey, whereby Licensing Officers of any Surrey Authority would be able to inspect and take enforcement action against any vehicle licensed in Surrey.
- 2.4 Such joint working arrangements between Local Authorities is also regarded as 'Best Practice' in the draft Statutory Guidance currently in consultation.
- 2.5 Additionally, joint warranting would further promote the work to promote the work undertaken in 2017-18 in partnership with the Surrey Safeguarding Children Board (SSCB) to develop a co-ordinated response to child sexual exploitation (CSE) across the County by adopting a consistent previous convictions policy and mandatory CSE training for all drivers in Surrey.

3.0 Recommendations

- 3.1 Most Surrey Authorities operate a scheme of delegations whereby individual officers are authorised in writing by a Head of Service using delegated powers.
- 3.2 Woking Borough Council operates such a scheme of Delegated Authority.
- 3.3 The movement is being spearheaded by Officers from Guildford Borough Council in order to bring in this process of joint working.
- 3.4 As of the 30th of April 2019, the authorities that have signed up or committed to the joint warranting programme are:
 - Elmbridge Borough Council

- Epsom and Ewell Borough Council
- Guildford Borough Council
- Mole Valley District Council
- Runnymede Borough Council
- Spelthorne Borough Council
- Surrey Heath Borough Council
- Tandridge District Council

3.5 As of the 30th of April 2019, the authorities that have not yet provided a response to Guildford regarding the Joint Warranting scheme are

- Reigate and Banstead Borough Council
- Waverley Borough Council

3.6 Guildford Borough Council is in the process of collating a list of officers to be joint warranted, with authorisations drawn up by a mail merge for Service Heads to sign.

Financial

3.7 Not applicable

Human Resource/Training and Development

3.8 Not applicable

Community Safety

3.9 By considering the report and giving its decision, the Sub Committee/Council will have taken action that promotes Community Safety.

Risk Management

3.10 Not applicable

Sustainability

3.11 Not applicable

Equalities

3.12 Not applicable

Safeguarding

3.13 The actions of a 'surrey-wide' delegation scheme will improve Licensing and prevent any cross-border activities, which may improve safeguarding.

REPORT ENDS