

JOINT ENFORCEMENT PROTOCOL

1.0 Purpose of Report

- 1.1 To update Members on the progress with the Joint Enforcement Protocol relating to taxis and to seek formal adoption of the protocol.

2.0 Background

- 2.1 At the meeting of the General Purposes Committee in November 2017 Members were provide with information relating to the development of a Joint Enforcement Protocol being developed across Nottinghamshire that would allow joint enforcement of taxi legislation.

3.0 Introduction

- 3.1 The law allows enforcement to be undertaken by authorised staff against vehicles or drivers licensed by that authority. Due to the issues that have arisen across the county discussions have taken place with both Licensing Officers and legal staff with the aim of allowing joint enforcement across boundaries.
- 3.2 A draft 'Joint Enforcement Protocol' was produced that will allow authorised licensing staff to take enforcement action against any driver or vehicle from an authority that has a reciprocal arrangement under the protocol. For example if both Newark & Sherwood and Mansfield sign the protocol this would permit authorised staff from Newark & Sherwood to take action against any drivers or vehicles licensed in Mansfield but operating within Newark & Sherwood. Alternatively it would also allow Mansfield staff to take enforcement action against Newark & Sherwood drivers and vehicles operating in Mansfield.
- 3.3 The protocol has been reviewed by the legal officers at Newark & Sherwood and they are happy that it meets the needs of the authority and does not impose any undue responsibilities on licence enforcement staff.
- 3.4 All the Nottinghamshire Authorities have expressed their support for the protocol and it is currently in the process of being considered by the various Licensing Committees across the county.
- 3.5 A copy of the Joint enforcement Protocol is attached as **Appendix One** to this report.

4.0 Proposals

- 4.1 It is proposed that Members formally adopt the Joint Enforcement Protocol subject to reciprocal arrangements being put in place with partner local authorities.

5.0 Equalities Implications

5.1 Enforcement is delivered where appropriate and in a proportionate and measured manner. This initiative will have no equalities implications.

6.0 RECOMMENDATIONS that Members:

- (a) **formally adopt the Joint Enforcement Protocol relating to Hackney Carriage & Private Hire Enforcement, subject to the following:**
- (i) **the enforcement powers of the Council under sections 53(3), 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976 shall be discharged by the Councils listed in the Schedule below pursuant to the provisions of section 101 of the Local Government Act 1972, such enforcement powers only to be exercised in respect of [Rushcliffe] licensed vehicles and drivers whilst operating within the boundary of the respective council and only to be exercised by the respective Council's authorised officers; and**
 - (ii) **the Business Manager - Environmental Health & Licensing be authorised to add to the Councils listed in the Schedule where considered expedient, subject to agreeing reciprocal arrangements with the relevant Council and subject to consultation with the Chairman and Vice-Chairman of General Purposes Committee; and**
 - (iii) **the Council agrees to accept a similar transfer of functions from any Council listed in the Schedule below.**

SCHEDULE

**Ashfield District Council
Broxtowe Borough Council
Bassetlaw District Council
Gedling Borough Council
Mansfield District Council
Nottingham City Council
Rushcliffe Borough Council**

Background Papers

Nil

For further information please contact Alan Batty on 01636 655467

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