



**REPORT of  
DIRECTOR OF CUSTOMERS AND COMMUNITY**

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**to  
PLANNING AND LICENSING COMMITTEE  
25 JANUARY 2018**

**UPDATE TO THE CRIMINAL CONVICTIONS POLICY AND LICENSING  
CONDITIONS WITH REFERENCE TO PROPERTY LEFT IN TAXIS AND  
PRIVATE HIRE VEHICLES**

**1. PURPOSE OF THE REPORT**

- 1.1 To agree an amendment to the licensing conditions for taxi and private hire drivers following concerns around the arrangements in place for property left in vehicles at the Committee meeting on 16 November 2017.

**2. RECOMMENDATION**

It is recommended that the amended licensing condition be agreed.

**3. SUMMARY OF KEY ISSUES**

**3.1 Licensing conditions for taxis and private hire**

- 3.1.1 The Committee report on 16 November 2017 detailed the Council's current licensing condition in terms of lost property which is:

‘The driver shall search the vehicle immediately after completion of a hiring for any property left by a passenger. If any such property is found it shall be returned to the owner within a reasonable period of time or if this is not practical, it shall be taken within 48 hours to the Maldon District Council Offices for deposit.’

The report identified that following consultation with the trade, the Council could be inundated with lost property placing an unnecessary burden on it. It was, therefore, proposed that the Council was omitted from the process. Subsequent comment from the trade also indicated that bringing lost property to the Council would place an unnecessary burden on the trade to comply with this condition.

- 3.1.2 Members discussed this condition and were concerned about the arrangements in place for lost property. There was a suggestion that lost property, especially items of high value, should be handed over to the Police, therefore, Essex Police were contacted for their views. It is Essex Police policy to encourage the finder of lost property to retain the property (with certain exceptions, e.g. drugs, weapons) rather than hand it over to them. They suggest where the owner of lost property cannot be found, it is sufficient for the finder to report this on the Essex Police website.

- 3.1.3 With this in mind, it is proposed that the licensing condition for taxi and private hire drivers is changed as follows:

‘The driver shall search the vehicle immediately after completion of a hiring for any property left by a passenger. If any such property is found, it shall be returned to the owner or reported on the Essex Police website within 48 hours. Records of lost property (including description of property; date returned to owner or reported on the Essex Police website; and date of disposal) to be maintained for twelve months.’

- 3.1.4 The Criminal Convictions Policy makes reference to lost property and the licensing conditions as follows:

‘The Council’s licensing conditions require drivers to return property to the owner within a reasonable period of time.’

To ensure there is no confusion between the Policy which says ‘reasonable time’ and the licensing condition which says ‘within 48 hours’, the Policy will be amended to cross reference the condition as follows:-

‘The Council’s licensing conditions for drivers (condition 11) requires property to be returned to the owner within a reasonable period of time.’

#### **4. CONCLUSION**

- 4.1 Following comment from the trade and input from Essex Police, it is proposed that the licensing condition for drivers in relation to lost property is amended to reduce the burden for the trade, the Council and Essex Police.

#### **5. IMPACT ON CORPORATE GOALS**

The licensing function plays a key role in delivering the corporate goal of helping communities to be safe, active and healthy. The amended condition helps ensure that lost property is safely returned to the owner.

#### **6. IMPLICATIONS**

- (i) **Impact on Customers** – The licensing conditions will help ensure the return of lost property to the owner and it will also reduce the burden for the trade.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers:

Licensing conditions for taxi and private hire drivers

Feedback from the taxi and private hire trade and Essex Police

Enquiries to:

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