


B1 What is the Decision?	To delay the implementation of the Euro 4/6 requirements outlined in the Hackney Carriage and Private Hire Licensing Policy (and approved by Council in March 2022) for an initial period of three months (from October 1, 2022) to allow Judicial Review proceedings to run their course.
B2 What are the reasons for the Decision?	An extension period will allow Judicial Review proceedings to be concluded.
B3 What are the contributions to Corporate Priorities?	Environment and Health and Well Being.
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision. The main Human Rights issues arising from this decision are as follows:

Financial Implications

B5 What are the financial implications?	The main financial issues arising from this decision are as follows: There are no significant financial implications in extending the deadline of the implementation of the emissions policy.
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Revenue	2022/23	2023/24	2024/25

Capital	2022/23	2023/24	2024/25

The finance section has been approved by the following member of the Financial Management Unit:	Please print name: Sal Khan. Please sign name: 
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes.
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/a.
B6.2 Has it got the appropriate approvals under those provisions?	Yes.
B7 Is the Decision wholly in accordance with the Council's budget?	Yes.
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/a.
B7.2 Has it got the appropriate approvals under those provisions?	Yes.

Equalities Implications


B8 What are the Equalities implications: N/a.
B8.1 Positive (Opportunities/Benefits):
B8.2 Negative (Threats):
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.
B8.4 The equality impact assessment identified the following actions to be carried out:

Risk Assessment

B9 What are the Risk Assessment implications: N/a
B9.1 Positive (Opportunities/Benefits):
B9.2 Negative (Threats):
B9.3 The risks do not need to be entered in the Risk Register.

Legal Considerations

B10 What are the Legal Considerations:
B10.1 The main legal issues arising from this decision are as follows: It has been recommended by the Borough Solicitor and Monitoring Officer that section 19 (Emissions) of the Hackney Carriage and Private Hire Licensing Policy 2019 - 2022 is paused from implementation for a period of 3 months (from 1 October 2022 to 1 January 2023), to protect the Council's interests and allow for the legal issues to be considered, pursuant to Part 3Z para 2.1 and 2.2.4 of the Council's constitution which provides as follows: <i>2.1 Subject to actions being in accordance with the law, the Council's Policy Framework (as defined in Part 2: Articles) and the Council's budget, Chief Officers of the Council, or other officers delegated by them, may take all operational decisions relating to the delivery of Executive and Local Choice Functions falling within their areas of responsibility. In addition, officers may take decisions on Non-Executive Functions under any scheme of delegation agreed by the Council or Committee exercising those functions.</i> <i>2.2 This includes the power to:</i>

B10 What are the Legal Considerations:
...
<i>2.2.4 authorise and enter into any court proceedings, enforcement action or other procedures to enforce the law or protect the Council's or the public's interests;</i>
This of course includes taking action as described above to properly consider the merits of any potential legal action against a decision of the Council.
This section has been approved by the following member of the Legal Team
Please print name: John Teasdale
Please sign name: 

Sustainability Implications

B11 What are the Sustainability implications: N/a
B11.1 The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).
B11.2 Positive (Opportunities/Benefits):
B11.3 Negative (Threats):

Health & Safety Implications

B12 What are the Health & Safety implications: N/a
B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.
B12.2 Any financial implications to mitigate against these hazards and risks are considered above.
B12.3 Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. The positive/negative impacts are set out below; N/a
B12.3.1 Positive (Benefits)
B12.3.2 Negative (Threats)

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

- 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000**
- 2. CAPITAL – Any capital project with a value in excess of £150,000**
- 3. A decision which significantly affects communities living or working in an area comprising two or more wards.**

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?	N/a
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	N/a

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk