

**COUNCIL**  
**15 JANUARY 2014**  
**AMENDMENTS**  
**ITEM 5(b) - NOTICES OF MOTION**

**Item 5(b)(i) - Regulatory Committee - Responsibility for Functions /  
Review of Hackney Carriage Arrangements**

**Amendment from Councillor Tallack:**

- “1. That the following new Clause 2 be added to the motion, and the remaining clauses renumbered accordingly:
  - ‘2. ‘That the Constitution Commission be asked to urgently review the delegation of functions to the Licensing and Regulatory Committees, as currently contained in Part 3 of the Constitution “Responsibility for Functions”, with a view to identifying which functions should be retained by the Council, or delegated to the Cabinet, for decision.’
2. That the following additional words be added to the end of new Clause 4 (old Clause 3):

‘on the grounds of irrationality, as a decision was made without the results of a full unmet demand survey, only a limited one, and failure to give full consideration to the equalities implications, so relevant factors were not taken into account.’”

**The amended motion would read:**

- “1. That Part 3 of the Constitution, ‘Responsibility for Functions’ be amended, in particular the functions of the Regulatory Committee, by adding the following words in bold italics to the functions listed in the second column:

‘Regulatory Functions specified in list B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (The Functions Regulations) and the Health Act 2006 except the power to limit Hackney Carriage licence numbers under the Town and Police Clauses Act 1847 which will remain a function of the Council.’
2. *That the Constitution Commission be asked to urgently review the delegation of functions to the Licensing and Regulatory Committees, as currently contained in Part 3 of the Constitution “Responsibility for Functions”, with a view to identifying which functions should be retained by the Council, or delegated to the Cabinet, for decision.*
3. That in accordance with Council Procedure Rule 21.1, Council Procedure Rule 15, (which deals with the rescission of previous Decisions and Motions) be suspended.

4. That Minute RC23 of the meeting of the Regulatory Committee held on Wednesday 11 December 2013 (Review of Hackney Carriage Arrangements in Milton Keynes) be rescinded *on the grounds of irrationality, as a decision was made without the results of a full unmet demand survey, only a limited one, and failure to give full consideration to the equalities implications, so relevant factors were not taken into account.*
5. That, so far as is legally practicable, Hackney Carriage licences remain personal to the holder and to the particular vehicle for which they are awarded and any trade in licenses or vehicle plates be not supported.”