

Report to LICENSING COMMITTEE

ALLOCATION OF UNUSED HACKNEY CARRIAGE LICENCES

Portfolio Holder:

Councillor Taylor, Cabinet Member for Housing & Licensing

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Reason for Decision

The reason for this report is to request that Members approve an addition to the Councils Taxi and Private Hire licensing policy in relation to the allocation of unused hackney carriage vehicle licences.

Recommendations

Members are asked to approve the addition.

ALLOCATION OF UNUSED HACKNEY CARRIAGE LICENCES

1 Background

- 1.1 The Council, acting in its role as Licensing Authority in relation to taxi and private hire licensing adopts and reviews a policy periodically which sets out how it carries out its functions. This report requests that Members approve an addition to that policy in relation to how the Licensing Authority releases unused hackney carriage vehicle licences when they are unallocated.

2 Current Position

- 2.1 The Council regulates hackney carriages licences within the Borough. In accordance with the Transport Act 1980, historically, Members have chosen to limit the number of hackney carriage licences that are issued. The last release of hackney carriages licences was in 1999.
- 2.2 In order to maintain a limit on licences licensing authorities are advised, via the Governments Best Practice Guidance, to conduct an unmet demand survey to establish whether there is a demand for further licences to be issued. A survey will be conducted this year and a report will be presented to Members later this year.
- 2.3 It is very rare that a licence becomes available but when it does an agreed approach is needed in order to consider a new applicant. It is therefore proposed to adopt the following wording to insert into our taxi and private hire licensing policy: -

On the occasion that a hackney carriage vehicle licence becomes available for issue the licensing authority will ascertain from all licensed clients whether anybody wishes to put their name forward to apply for a licence. Those interested will then go into a draw and the successful person will be invited to apply for a licence as long as they can meet the criteria within the licensing policy. In addition to the trade notification seeking expressions of interest a public notice will be displayed on the councils website seeking to enable other interested parties to participate.

3 Options/Alternatives

- 3.1 By not having a policy in place it would effectively be a first come first served situation when a prospective applicant either applied of their own volition for a licence or heard that a licence has become available.

4 Consultation

- 4.1 Not undertaken.

5 Financial Implications

- 5.1 Not applicable

6 Legal Implications

6.1 If the Council wishes to maintain the existing policy of limiting the number of hackney carriage licences it must be satisfied that there is no significant unmet demand for extra taxis, and it is noted that a survey will be conducted this year. Alternatively, if the Council wishes to remove the limitation policy, it could do so without having to rely on the findings of a survey of unmet demand. Local authorities have an unfettered discretion to increase the number of hackney carriage licences they issue. If unused licences are to be allocated this should be done in an open and transparent manner via an agreed procedure. (A. Evans)

7 **Appendices**

7.1 None