

10 June 2015

Report of	Head of Professional Services	Author	Jon Ruder ☎ 282840
Title	Hackney Carriage Plate Reallocation Policy and Process		
Wards affected	Not applicable		

**This report concerns the Council's proposed approach to the allocation of a Hackney Carriage Plate**

## 1. Decision Required

- 1.1 To adopt the hackney carriage plate reallocation policy and process.

## 2. Reasons for the Decision

- 2.1 The Council does not currently have a policy to reallocate hackney carriage plates. As the number of hackney carriage plates issued by the Council is currently regulated, it is expected that should one become available, demand would be high. It is considered necessary therefore to have an approved policy to deal with any such scenario.

## 3. Alternative Options

- 3.1 The alternative option is not to have a policy however should a plate become available there will be a significant demand and the overall objective of having a policy is to enable the Council to reallocate the plate in a fair and open manner.

## 4. Proposals

- 4.1 A copy of the proposed policy is attached at Appendix 1.

## 5. Standard References

- 5.1 There are no particular references to the Strategic Plan; publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.

## **Colchester Borough Council**

### **Hackney Carriage Plate Allocation Policy and Process**

This policy sets out the Council's proposed approach to the reallocation of a hackney carriage plate.

The policy is intended as a guide to applicants and members of the Licensing Committee and provides information on what the Council expects to see in relation to re-allocation of a hackney carriage vehicle plate. The advice and guidance contained in the policy are intended only to assist applicants and other parties and should not be interpreted as legal advice.

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## **1. Background**

- 1.1 In line with legislative requirements an unmet demand survey was carried out in 2011 to review the number of hackney carriage vehicle plates available in the Borough of Colchester; the current limit is set at 131 plates. This is unlikely to change until an unmet demand survey highlights the need to increase the number of plates available or the limit is removed by legislation. The next unmet demand survey is due to take place in the autumn of 2015.
- 1.2 The overall objective of this policy is to enable Colchester Borough Council to reallocate a hackney carriage plate in a fair and open manner, should a plate become available.
- 1.3 There is currently no policy in place regarding the reallocation of a hackney carriage plate.

## **2. Eligibility**

- 2.1 In order to qualify for the reallocation process the following eligibility criteria must be met:

- The applicant must not currently hold more than one hackney carriage plate (including, for the avoidance of doubt, those proprietors who obtained their current licence via a transfer).
- The applicant must not have had a licence suspended or revoked during the five year period immediately prior to the start of the process.

The applicant must be compliant with all conditions within the Council's current Hackney Carriage and Private Hire Licensing Policy and Conditions.

- The applicant must not have received penalty points under the Council's Penalty Point Scheme in the year preceding the start of the process.
- The intended applicant must have completed and passed the passenger assisted transport (PAT) scheme.
- Any new applicant wishing to register an interest in the allocation process will be required to complete a statutory declaration confirming that they meet the application requirements.

## **3. Vehicle specification**

- 3.1 The vehicle must meet the Council's policy in terms of age and specification at first registration and be compliant with the Council's vehicle conditions for a hackney carriage licence.
- 3.2 The vehicle must be adapted for wheelchair/disabled accessibility.

## **4. Process**

- 4.1 All current owners and drivers who have indicated an interest will be notified if a plate becomes available and advised of the relevant application process. A public notice will be placed in a local newspaper and on the Council's website detailing the application process and giving the closing date by which an application must be made.
- 4.2 Applicants meeting the relevant criteria detailed above will be entered into a draw which will be carried out using a randomised programme to determine the new plate holder.
- 4.3 To avoid any ambiguity the draw will be carried out at a meeting of the hackney carriage and private hire liaison group.
- 4.4 The number of draws will depend on the number of plates available.

## **5. Timescales**

- 5.1 The licensing team will notify the successful applicant within a week of the draw.
- 5.2 The successful applicant will need to carry out the full application process hackney carriage vehicle licence process within 28 days of the notification. Failure to do so will result in another draw being held.

## **6. Conditions**

- 6.1 The newly issued plate cannot be sold or transferred for a period of five years from the date of its issue.
- 6.2 Should the successful applicant be an existing hackney carriage plate holder, they will not be allowed to sell or transfer any existing plate for a period of five years.
- 6.3 The outcome of the draw is final.