

Licensing and Appeals Sub Committee

Minutes of a meeting held on 2 February 2010

Present: Councillor Carmody – In the Chair

Councillors Burns, Commons, Fisher and Smith

LAPSG/10/01 Allocation of Hackney Carriage Proprietors Licences

A report of the Head of Street Management and Enforcement was submitted which provided the Sub Committee with information on the options and supporting policies required in respect of a management growth policy for the allocation of Hackney Carriage Proprietors' Licences.

A number of taxi trade representatives attended the meeting and were allowed the address a question to the members of the Sub Committee.

Following detailed consideration of the issues the Sub Committee made the following recommendations to the Licensing and Appeals Committee:

Allocation process

- That future allocations of hackney carriage proprietors' licences be by means of a lottery.
- That entry criteria be a pre requisite to any individual being entered into the lottery.
- That a new lottery be convened at each point of allocation (e.g. annually).

Eligibility Criteria

That only the following persons would be eligible to enter the lottery:

- A current Manchester licensed Hackney Carriage Driver with a minimum of 5 years experience gained during the 7 year period immediately prior to the closing date for registrations of interest to be entered into the lottery or
- A current Manchester licensed Private Hire Driver with a minimum of 5 years experience gained during the 7 year period immediately prior to the closing date for registrations of interest to be entered into the lottery **and** who has passed the hackney carriage drivers knowledge test or
- A person where special consideration has been granted under the Special Consideration Policy.

That in all of the above cases the person must:

- Not currently hold a hackney carriage proprietor's licence (including, for the avoidance of doubt, those proprietors who obtained their current licence via transfer) and
- Not have had any proprietor's licence (including both hackney carriage and private hire) revoked during the 5 year period immediately prior to the closing date for registrations of interest to be entered into the lottery and
- Not be a person who has previously held a hackney carriage proprietor's licence issued to that individual by the Council (i.e. a free plate).

Vehicle specification policy

That any person being issued with a new hackney carriage proprietor's licence direct from the Council (i.e. free plate) would be required to provide a vehicle that complies with the following:-

- Any vehicle must meet the Council's current policy in terms of vehicle specification, i.e. currently Public Carriage Office (PCO) approved.
- Any vehicle must be less than 2 years old from the date of first registration at the time the licence is issued (i.e. once the vehicle has passed the Council's standard vehicle test).

Special Consideration Policy

That any person wishing to be considered for a hackney carriage proprietor's licence but who fails to meet Council requirements may be eligible for consideration under the Council's special consideration policy.

That where any special consideration is granted, this will only be applicable to the allocation of licences at that particular time.

That special consideration will determine whether an individual is entitled to be entered into the lottery despite not meeting the required criteria.

That grant of special consideration will not give any automatic entitlement to a licence.

That any person considered in respect of special consideration would be required to comply with the Council's current policy in respect of Guidelines on the Policy of Convictions.

That the draft special consideration policy be amended to include the wording "The City Council has, therefore, agreed to this special consideration policy which is intended to facilitate equality of opportunity for entry into the lottery".

Equality Impact Assessment

Members noted that it is a requirement that an Equality Impact Assessment is undertaken in respect of new policies, to ensure that they are neither directly or

indirectly discriminatory, and requested officers to undertake such an Assessment before the final consideration by the Licensing and Appeals Committee is made.