



# ***ALLOCATION OF HACKNEY CARRIAGE PROPRIETORS LICENCES***

**2014**

## **Policy for the allocation of Hackney Carriage Proprietors Licences**

### **1. Introduction**

- 1.1 This report provides information in relation to the allocation of Hackney Carriage proprietors' licences in Braintree District. There may be other options that the licensing committee wishes to consider.

### **2. Background**

- 2.1 In 2013 Braintree District Council conducted a review of its policy in relation the allocation of hackney carriage proprietors licences.
- 2.2 Part of this review involved a 3 month consultation (October 2013 to January 2014) involving a wide range of people, e.g. Hackney Carriage and Private Hire trade, local businesses and the public.
- 2.3 The overall objective for this policy is to enable Braintree District Council to reallocate hackney carriage proprietors licenses in a fair and open manner.
- 2.4 There is currently no policy in place regarding the issuing of new hackney carriage licences.

### **3. Eligibility**

- Must hold a current Hackney Carriage, Private Hire or Dual drivers licence issued by Braintree District Council.
- Not currently hold more than one hackney carriage proprietor's licence (including, for the avoidance of doubt, those proprietors who obtained their current licence via transfer).
- 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
- 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).

#### **4. Vehicle specification**

- Must be wheelchair accessible.
- Must meet the Council's current guidelines in terms of age and specification.

#### **5. Allocation**

- The method of allocation will be by random ballot.
- The ballot will take place at a Licensing committee or subcommittee as soon as possible once the applications have been scrutinised.
- Lots will be drawn to cover the number of available licences. Then a number of reserves will be drawn to allow for unsuccessful applications.

Example: If two licences are required to be allocated, then the random ballot will take place as soon as practicable. Four lots will be drawn; Lot 1 & Lot 2 will have the opportunity to apply for the available proprietors licence and complete the applications within 28 days. If either of the first two lots are unsuccessful with their applications then Lot 3 will have the opportunity to apply. Then if any of the previous three lots drawn are unsuccessful with their applications then Lot 4 will have an opportunity to apply.

#### **6. Timescales**

- Once the authority has received notification that a Hackney Carriage proprietor's licence will be returned to the authority, the licensing team will endeavour to notify all licensed drivers and operators. An advert will also be placed on the Council website.
- The register of interest will then close one month after it opens. All applications to join the register of interest must be received within a period of one month.
- The vehicle will need to be licensed within 28 days of the ballot.

#### **7. Conditions**

- No new Hackney Carriage proprietors licence may be sold or transferred for a period of five years from issue.
- Should the successful applicant already be an existing Hackney Carriage proprietor licence holder, and then they will be required to undertake not to sell or transfer any existing licences for a period of five years.

## **8. Declaration**

- Any person wishing to register an interest in the random selection draw will be required to complete a statutory declaration confirming they meet the above requirements.