

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 20

Brighton & Hove City Council

Subject:	Hackney Carriage Waiting List Conditions		
Date of Meeting:	20 November 2014		
Report of:	Director of Public Health		
Contact Officer:	Name:	Martin Seymour	Tel: 29-2550
	Email:	martin.seymour@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To remove some restrictions that currently apply to applicants on the hackney carriage waiting list.

2. RECOMMENDATIONS:

- 2.1 That members approve the proposed amended conditions for entry on the Hackney Carriage Waiting List. (Appendix A)

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Council operates a restricted numbers policy for hackney carriage vehicles with a managed growth of 5 additional plates issued on an annual basis in May. Any additional licences issued are issued in accordance with the conditions attached to the Brighton & Hove City Council Hackney Carriage Vehicle Licence Waiting List.
- 3.2 It is proposed to remove the conditions of entry on to the Hackney Carriage Waiting list that require an applicant to:
- (a) reside within 5 miles of the Council boundary
 - (b) have held a Brighton and Hove hackney carriage driver licence or a Brighton & Hove private hire driver licence for at least 12 months immediately prior to the date of application
 - (c) and be working full time in the hackney carriage or private hire trade based in Brighton and Hove at the time of application
- 3.3 Currently additional plates are offered to applicants on the waiting list in order of priority determined by the number of credit points (years) on which the applicant has applied to be included on the list. Currently where two or more applicants have the same number of credit points they are offered to drivers in order of priority by the date of issue of their first hackney carriage or private hire driver licence and applicants living in Brighton & Hove.

It is now proposed that where there is two or more applicants who have the same number of credit points (years), a ballot (as decided by the council) will be held in order to rank them in order of priority.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The alternative is to continue with current conditions of entry

5. COMMUNITY ENGAGEMENT AND CONSULTATION

This matter has been discussed at the council's hackney carriage and private hire consultation forum where all members of that forum are free to express their opinions. Forum members are supportive of the proposed changes.

6. CONCLUSION

- 6.1 That members approve the proposed conditions of entry to the Hackney Carriage Waiting List. The trade view was that hackney carriage vehicle licences should be limited to existing licensed drivers, showing commitment to the local industry, but that previous holders should be precluded. Council records are not retained for over six years so a declaration would be required of successful applicants confirming they are not erstwhile hackney carriage vehicle licences holders.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

The costs associated to taxi licensing and enforcement is met from the existing Taxi Licensing revenue budget which is funded by licencing fees in accordance with relevant regulation. Taxi licence fees are approved annually by Licencing Committee.

Finance Officer Consulted: Steven Bedford

Date: 16/10/14

7.2 Legal Implications:

It is appropriate to operate a waiting list to manage the grant of licences within a restricted numbers policy. Conditions for entry onto the waiting list are in the Council's reasonable discretion.

Lawyer Consulted: Name Rebecca Sidell

Date: 17/10/2014

7.3 Equalities Implications:

There are no direct implications but monitoring is undertaken to ensure that the waiting list is maintained and operated in a fair and transparent way as recommended by the Equality and Human Rights Commission.

7.4 Sustainability Implications:

None

7.5 Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices A:

Proposed Conditions of Entry

Appendices B:

Current Conditions of Entry

