

This is an open report

Report to: Regulation Committee

Date of Meeting(s): Friday, 9 August 2024

Subject: Policy for the Allocation of Hackney Carriage Vehicle Licences

Report of: Paul Barton, Director of Environment

Contact Officer: Joanne Brockley (Tel: 01942 827226)

Cabinet Portfolio Holder and area: Councillor Paul Prescott, Portfolio Holder for Planning, Environmental Services and Transport

Summary: This report details the proposed policy and criteria for the allocation of hackney carriage vehicle licences (where there is availability for a hackney carriage vehicle licence to be granted).

Link to Corporate Priorities:

Our People: Together we feel happy, safe, included and look out for each other:

- Best start in life for children and young people
- Happy healthy people
- Communities that care for each other

Our Place: Together we are proud of our towns and look after our environment:

- Vibrant town centres for all
- An environment to be proud of
- Embracing Culture, Sport and Heritage

Our Future: Together we will build a future where everyone has the opportunity to thrive:

- Economic growth that benefits everyone
- A well-connected place
- Confidently digital
- A home for all

Wards Affected: All

Recommendation(s): Members of the Regulation Committee are asked to approve the policy and criteria for the allocation of hackney carriage vehicle licences (where there is availability for a hackney carriage vehicle licence to be granted).

Implications:

What are the financial implications? None

Is budget release necessary (Capital Expenditure Only)? No

What are the legal implications? None

What are the staffing implications? None

Equality and Diversity Impact Assessment attached or not required because (please give reason). N/A relevance check attached

What are the property implications in terms of reduction, addition or change to the council's asset base or its occupation? None

What are the Corporate Parenting Implications? Not Applicable

Risks: None

Sustainability/Environmental/Climate implications: None

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? N/A

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s): None

There are no background papers for this report.

Directorate Sign-off:	Paul Barton
Date:	24 July 2024

Please list any appendices:

Appendix number or letter	Description
Appendix A	Proposed Policy and Criteria for the Allocation of Hackney Carriage Vehicle Licences

1.0 Background:

- 1.1 Wigan Council are responsible for the licensing of hackney carriage (taxi) and private hire vehicles operating within Wigan Borough.
- 1.2 Local Authorities are able to set a limit on the number of hackney carriage vehicle licences they will grant licences for. Section 16 of the Transport Act 1985 permits this but only under very specific conditions.
- 1.3 Local Authorities are not able to set a limit on the number of private hire vehicles they will grant licences for.
- 1.4 Wigan Council currently has a limit on the number of hackney carriage vehicle licences it will issue, that limit being 136.
- 1.5 Section 16(b) of the Transport Act 1985 states: "...the grant of a licence may be refused, for the purpose of limiting the number of hackney carriages in respect of which licences are granted, if, but only if, the person authorised to grant licences is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet."
- 1.6 The Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England, published by the Department for Transport (DfT) states that most licensing authorities do not impose quantity restrictions, and they regard that as best practice. However where restrictions are imposed, this should be reviewed regularly, and at least every 5 years.
- 1.7 On 11 November 2022, the Regulation Committee approved, following a survey, that there be no change to the existing policy limiting the numbers of hackney carriage vehicles licensed, and that the limit remains at 136.
- 1.8 As Wigan Council currently has a quantity restriction, a policy is needed to set out the process that would be followed should there become available, a hackney carriage vehicle licence to be granted.
- 1.9 It is important to note that hackney carriage vehicle licences are issued to a proprietor of a vehicle but ultimately the licence belongs to the Council

2.0 Proposals:

- 2.1 A copy of the proposed policy is attached at Appendix A to this report. This policy sets out Wigan Council's approach where there is availability for a hackney carriage vehicle licence to be granted.
- 2.2 This policy would be followed in the following scenarios:
 - The natural expiry of a licence;
 - The revocation of a licence;
 - The surrender of a licence; or

- If new licences became available, over and above the limit of 136.

3.0 Conclusions:

- 3.1 Members of the Regulation Committee are asked to approve the policy and criteria for the allocation of hackney carriage vehicle licences (where there is availability for a hackney carriage vehicle licence to be granted).
- 3.2 Members are asked to approve the immediate implementation of this policy.

Relevance Check

Budget Reduction/Service Area: Regulatory Services

Service Lead: Michaela Guest

Date: 24 July 2024

In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service you provide?

N/A

Is a Customer Impact Assessment needed? No