

**Manchester City Council
Report for Resolution**

Report to: Licensing and Appeals Committee – 3 June 2019

Subject: Allocation of Hackney Carriage Proprietor Licences

Report of: Head of Planning, Building Control and Licensing

Summary

Manchester has an existing policy which limits the number of Hackney licences issued in the City. Where licences become available the policy introduced a random selection process.

This report provides information regarding 4 hackney carriage proprietor licenses no longer issued, and, in line with the policy should be re-allocated by instigating the 'Random Selection Process'. The random selection process is outlined and copies of the criterion, proposed letter to the trade and 'expression of interest' applications are attached to the report at **Appendix 1 and 2a,b**.

The report also recommends that the random selection process remains in place at this time until the outcome of the 2019/20 Licensing Survey is known. This would include an unmet demand survey that would determine if any further licences are required to be issued.

Recommendations

1. That the Committee agree to the instigation of a random selection process for the reallocation of the following plates:
HV0040, HV0352, HV0501, HV1014
 2. The Committee agree that following the allocation of the 4 hackney carriage proprietor licences, the random selection process is temporarily closed but remains in place until the outcome of the Licensing Survey 2019/20. This is on the basis that this includes an unmet demand survey that would determine whether any further licences need to be issued.
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Manchester Strategy Outcomes	Summary of contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	The Taxi Licensing Service aims to continuously evolve and improve to support Manchester residents who wish to work in these industries.

A highly skilled city: world class and home grown talent sustaining the city's economic success	The re-allocation of these 4 hackney carriage vehicles will create jobs for each vehicle proprietor and any subsequent drivers should the vehicles be tracked (rented) out.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The current random selection process allows for drivers to make a 'special consideration application where they think they have special circumstances to allow them to enter into the random selection process without fulfilling the full criteria.
A liveable and low carbon city: a destination of choice to live, visit and work.	The allocation of 'new hackney carriage' plates requires the purchase of a vehicle that is less than 2 years of age.
A connected city: world class infrastructure and connectivity to drive growth	The Taxi Licensing Service aims to ensure its policies use all opportunities to enhance connectivity and infrastructure through progressive, transparent and equitable policies.

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue - None
Financial Consequences – Capital - None

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Background documents:

Licensing and Appeals Committee Reports 4 July and 4 October 2010

Current hackney carriage vehicle – Random Selection Policy

1. Introduction

- 1.1 At a meeting on 5 July 2010 the then Licensing and Appeals Committee agreed to recommend to Council a policy and criteria for the future allocation of hackney carriage proprietors' licences. On 14 July 2010, the Council approved this policy and the criteria, which states that all future hackney carriage proprietors' licences would be allocated by a process of random selection. A copy of the policy and criteria is attached to the report at **Appendix 1**.
- 1.2 The Council has 1090 existing licensed hackney carriage vehicles. There are currently, however, 4 hackney carriage vehicle proprietor licences that are not currently allocated. These 4 licences should now be re-allocated (for information the Trade call such licences 'free plates'). The reasons for each individual re-allocation, is briefly outlined in paragraph 2 of the report below.
- 1.3 The 4 plates in question should be re-allocated using a 'Random Selection Process' in line with the Council's existing policy. This process has proven to be both costly and time consuming. Individual drivers who request to be included in the process have to be seen face to face by a senior officer and the documentation scrutinised to ensure that they meet the criteria. At the last allocation of plates some 200 drivers were interviewed to issue 30 potential hackney carriage vehicles licences. To minimise additional costs, it is therefore recommended that, following the allocation of the 4 licences:
- the random selection be temporarily closed, but,
 - remain in place until the completion of the Licensing Survey in 2019/20
- 1.3.1 The Licensing Survey 2019/20 includes an unmet demand survey. The latter is important as it would help to inform the Council whether any additional hackney carriage proprietor licences are required to meet current and possible future demands of the City.

2. Hackney Carriage Plates for re-issuing

- 2.1 The following plates are currently not issued.

HV0040 – this Licence was not renewed on time. The matter was determined by the Licensing and Appeals Committee in 11 September 2017 who decided not to grant the renewal application. This decision was later upheld following a Crown Court appeal.

HV0352 and **HV0501** were owned by the same person – the licences expired on 19 November 2012 and 26 July 2016. There had been no contact or queries raised about the licence(s) since 2012 until this year when an email was received asking how to transfer the plate(s). Although this was responded to there has been no further contact

HV1014 – This was revoked by Licensing and Appeals Committee in 2009

3.0 Random Selection process

- 3.1 The random selection process was deemed by the Council to be a fair process. The process involves an independent team (the Electoral Reform Services (ERS)). All drivers are sent a letter, advising that they can express an interest in wishing to have a new hackney carriage licence.
- 3.2 A copy of the draft letter that would go to all licensed hackney carriage and private hire drivers is attached at **Appendix 2a**. The letter explains the random selection process and what drivers need to do.
- 3.3.1 Attached at **Appendix 2b** is the draft wording that would also go on the taxi licensing web page at www.manchester.gov.uk/taxi and which would have links to the questionnaire. These documents also include the documentation required by individuals to evidence that they meet the criteria.
- 3.3.2 The questionnaire would be converted into an on-line form that would go directly to ERS, who will send an electronic receipt message.
- 3.2 Anyone who expresses an interest must be able to meet (and provide evidence that they meet) the criteria:
- a current Manchester licensed hackney carriage driver with a minimum of 5 years' experience gained in the 7 years before the closing date, or
 - a current Manchester licensed private hire driver with a minimum of 5 years' experience gained in the 7 years before the closing date, **and** have passed the hackney carriage driver knowledge test.
 - Individuals must not:
 - currently hold a hackney carriage proprietor's licence (including licences via transfer)
 - have had any proprietor's licence (both hackney carriage and private hire) revoked in the five years before the closing date
 - be a person who has previously been issued a hackney carriage proprietor's licence by Manchester City Council
- 3.3 There is also a special consideration policy; this enables individuals who do not meet the criteria to also express an interest. These expressions of interest are considered by a panel and if accepted persons are entered into the random selection process.
- 3.4 Anyone who is chosen from the random selection process must be able to provide evidence that they meet the criteria unless they have met the special consideration policy. Acceptable written evidence would be:
- tax returns
 - accounts (may require sample receipts)
 - wage slips
 - evidence of work from airport
 - evidence of work from operator
 - any other documentation you feel is appropriate

4.0 Conclusion and recommendations

- 4.1 The report informs the Committee that there are 4 Hackney Carriage Vehicle Proprietor licences available as they are currently not issued.
- 4.2 The report asks the Committee to agree to the Random Selection Process being instigated to allow the issue of the 4 plates in question.
- 4.3 The report also advises the Committee that the cost of the random selection process is both costly and time consuming. In order to minimise additional costs, it is further recommended that:
 - following the allocation of the 4 licences, the random selection is temporarily closed, but that it remains in place and is used in the allocation of any further hackney carriage proprietor licences that may be identified in the 'Licensing Survey 2019/20.