

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No.

meeting date: 14 JUNE 2011
 title: LICENSING ADDITIONAL HACKNEY VEHICLES
 submitted by: HEAD OF LEGAL AND DEMOCRATIC SERVICES
 principal author: DIANE RICE

1 PURPOSE

1.1 To seek Committee's views in relation to licensing additional hackney vehicles, limited to vehicles which provide a service for users of wheelchairs or mobility scooters.

1.2 Relevance to the Council's ambitions and priorities

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| <ul style="list-style-type: none"> • Council Ambitions - } • Community Objectives - } • Corporate Priorities - } • Other Considerations - } | <p>The Council seeks to ensure its services promote accessibility for all groups. Consideration of how licence holders meet the needs of individuals who use wheelchairs or mobility scooters supports this objective.</p> |
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2 BACKGROUND

2.1 The Council currently has a limit on the number of hackney carriage vehicle licences it issues.

2.2 The decision to limit the number of hackney vehicle licences should be based on a survey which in turn has demonstrated that there is no unmet demand for the provision of such services.

2.3 Due to budgetary constraints, the Council has not carried out such a survey, but has kept the provision of hackney vehicle licences under review and has responded to requests for consideration of additional licences.

2.4 The Council regularly receives complaints about the way in which hackney carriage ranks operate in the town, both from licence holders and from members of the public. Lancashire County Council have carried out work to secure additional hackney rank places but to date no additional ranks have been provided. The ratio of hackney rank spaces to licensed vehicles is high in comparison to other areas.

3 ISSUES

Specific Request

3.1 The Council has recently been approached by an individual who wishes to develop a specific type of business namely providing transport from nursing homes to hospitals to fulfil hospital appointments, visits etc.

- 3.2 This type of work could be carried out under the auspices of a private hire operators licence, however the individual concerned does not live within the Ribble Valley and has therefore no premises which could provide him with an operating base.
- 3.3 The holder of a hackney vehicle licence does not require an operating base within the Council's area.

The application process

- 3.4 The Council, although it maintains a limit, does not prohibit individuals from making applications. If an application for a hackney vehicle licence is refused, the applicant has the right to appeal against this to the magistrates court. However, this requires the applicant to commit to the process to the extent of completing the application form, paying the application fee, paying for the vehicle test etc. Bearing in mind the recent approach taken by the Council, it therefore seems prudent to seek an indication from Committee as to how they would be likely to deal with any application if it was received.
- 3.5 Committee has in the past allowed additional hackney plates where this provided an enhanced service, for example by expanding the number of vehicles which are accessible to wheelchair users particularly where the wheelchair user does not have to vacate the wheelchair.
- 3.6 The current provision of accessible vehicles within the 53 hackney vehicle licensed is being researched and full information will be available for Committee, together with further guidance about the relevant legislation.

Survey

- 3.7 The Council's decision to maintain a limit on hackney carriage vehicles, whilst supported by the Local Hackney Association and compatible with the experience of users of the rank, both licence holders, customers and local residents, is potentially subject to challenge as it is not based on the required survey.
- 3.8 Members may therefore wish to consider whether they are
- mindful to seek funding for a survey, or
 - satisfied that a survey would not be an appropriate use of public funds
 - consider that the current arrangements operate to the benefit of licence holders and local residents alike as evidenced by the agreement of the Hackney Carriage Association.

Allocation

- 3.9 If the Council were to issue additional licences it would be necessary to determine how these were allocated.
- 3.10 The Council has to date maintained a list of persons who have expressed an interest in obtaining a hackney vehicle. Should the Council have an opportunity to either offer one of the existing plates or offer additional hackney licensed plates, then Committee would have to decide to whom to allocate any additional plates issued.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources - }
- Technical, Environmental and Legal - } The Council must ensure its decisions are properly made. Regular review of the existing provision supports this objective.
- Political - }
- Reputation - }

5 RECOMMENDED THAT COMMITTEE

5.1 Instruct the Head of Legal and Democratic Services as to the criteria by which they instruct applications for hackney vehicle licences to be determined.

HEAD OF LEGAL AND DEMOCRATIC SERVICES

For further information please ask for Diane Rice, extension 4418.