

Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	Licensing and Safety Committee	22/11/06

## CONSIDERATION OF CHANGE OF CRITERIA – ADDITIONAL HACKNEY CARRIAGE VEHICLE LICENCES

### PURPOSE OF REPORT

- To ask Members to reconsider an agreed criteria to be applied to additional hackney carriage vehicle licences.

### CORPORATE PRIORITIES

- This report is not relevant to any of the key corporate priorities of the Council.

### RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation	4	Regulatory/Legal	4
Financial		Operational	
People		Other	

- There is a risk that the criteria applied to the hackney carriage vehicle licences could be the subject of Judicial Review and that unsuccessful applicants could appeal to the Magistrates Court if their application is refused.

### BACKGROUND

- At a meeting of this Committee on 5 April 2006 a criteria was set for the issue of the seven additional hackney carriage licences identified by the recent survey as being required to meet the needs of disabled people in the Borough. (A copy of the Committee report dated 6 April 2006 is attached).
- Best practice guidance issued by the Department for Transport on 23 October 2006 casts doubt on the already agreed criteria relating to the type and age of vehicle (copy of the relevant guidance is attached).
- It is thought that the agreed criteria could result in a legal challenge. It is appropriate to reconsider the agreed criteria before any further action is taken regarding the issue of the seven additional hackney carriage plates.

8. It is suggested that the following criteria be considered to replace numbers 1, 2 and 3:
- i) Every vehicle shall be either a purpose built hackney carriage or a vehicle adapted as a hackney carriage suitable for the carriage of disabled persons by a recognised conversion company. The vehicle must have undergone either Whole European Type Approval or Low Volume Type Approval.
  - ii) Vehicles must be new or have covered no more than 500 miles.
8. Changing the criteria will enable vehicle proprietors to have a choice of suitable vehicles whilst the Council will be able to maintain a high standard of vehicular accessible vehicles. By specifying that the vehicles must be new or less than 500 miles we can ensure that conversions have been carried out to the latest specifications.

**COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

9. Not applicable.

**COMMENTS OF THE DIRECTOR OF FINANCE**

10. Not applicable.

**RECOMMENDATION(S)**

11. That the Committee considers changing the criteria as suggested.

ANDREW DOCHERTY  
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

There are no background papers to this report.

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Keith Ogden	5163	7 November 2006	LEGREP/93626LM