

## **CRITERIA FOR THE ALLOCATION OF A NEW HACKNEY CARRIAGE VEHICLE LICENCE**

This policy sets out the Council's approach when there is availability for a new hackney carriage vehicle licence to be granted. This could be following the natural expiry of a licence or following the revocation or surrender of it.

Only persons who fully meet the criteria will ultimately be entered into the draw in order to be invited to apply for a licence.

When a licence becomes available, the Council will write to existing Hackney Carriage Drivers (HCD), Private Hire Drivers (PHD) and Private Hire Operators (PHO), inviting them to submit expressions of interest in accordance with this document. The period within which a licence holder may submit an expression of interest will be included in this correspondence. This correspondence can be via electronic methods. The Council will also display a notice on its website setting out the criteria and inviting expressions of interest.

Any person wishing to submit an expression of interest should read and ensure they fully meet the criteria in this document. Where a licence holder submits an expression of interest but does not meet the criteria, they will not be entered into the draw and the licensing team will not notify them that they have not met the criteria.

On the expiry of the period during which expressions can be submitted, a sift will be carried out to sort those expressions which meet the criteria. These will then be placed into sealed envelopes and a "tombola-style" draw shall be carried out at the next Licensing and Public Safety Committee. Any person wishing to attend such meeting shall be permitted to in accordance with the existing procedures.

At the meeting, 3 envelopes shall be drawn. The first shall be given the opportunity to apply for the grant of a hackney carriage vehicle licence. If, on the expiry of 2 months from the draw, the first applicant has not applied and had a vehicle test, the second name drawn shall be invited to make an application. Again, if the second person does not make an application and had a vehicle test within 2 months of being invited to make an application, the third person shall be invited. If the third person draw does not make an application and submit the vehicle for test within 2 months, then the initial allocation process will be carried out again. Those who had previously been drawn but failed to apply shall be excluded from submitting expressions of interest. In any case, an application will only be accepted where it meets the criteria set out in this policy and any other applicable Council policy and requirement.

Nothing in this document affects the Council's absolute discretion to determine whether to grant a hackney carriage vehicle licence.

### **The Criteria**

1. The applicant must be an existing licence holder at the time the period for submitting expressions of interest opens. They must have held a licence for a minimum period of 3 consecutive years, immediately preceding the date expressions of interest are invited. In this section, a licence means a Hackney Carriage or Private Hire Driver Licence, or a Private Hire Operator Licence, issued by Chorley Council.

2. Expressions of interest cannot be submitted by persons who already hold (whether a full or part share in) a Hackney Carriage Vehicle licence or from anyone who resides at the same address as an existing Hackney Carriage Vehicle Licence holder.
3. Only 1 expression of interest shall be accepted per address.
4. Expressions of interest cannot be submitted by persons who have held a Hackney Carriage Vehicle licence in the five years immediately preceding the date expressions of interest are invited.
5. Expressions of interest cannot be submitted by any person who has, in the 5 years preceding the date expressions of interest are opened, had a Hackney Carriage or Private Hire Driver licence, Hackney Carriage or Private Hire Vehicle Licence or Private Hire Operator licence refused or revoked by this or any other Authority.
6. Expressions of interest will only be accepted from persons who are registered to vote in Chorley or a person who is liable to pay business rates to Chorley Council or exerts significant control over a company liable to pay business rates to Chorley Council.
7. The applicant must not currently be declared bankrupt or have been excluded from directing a business by order of a court.
8. The applicant must be free from convictions, motoring or otherwise, at the time expressions of interest are invited, other than those which have already been declared and considered by the Council. The same is true for any pending prosecutions.
9. The applicant is required to be the owner and driver of the vehicle. The licence will be awarded on a sole proprietorship basis. The applicant must have the legal capacity to hold a licence. The owner and driver must have completed, or have booked onto, the Wheelchair Assessment course with a company contracted by Chorley Council to provide such a course.
10. Applicants shall be required to declare that they intend to make use of the licence personally in Chorley for a minimum of 12 months. Disciplinary action would likely result against those found to be breaching this.
11. Vehicles shall be less than 5 years old at the time of the application, this shall be measured from the date of first registration shown on the logbook. Imported vehicles shall not be considered suitable.
12. The vehicle which is presented must be a Wheelchair Accessible Vehicle (WAV) as defined in our existing policy. This licence will be for a WAV in perpetuity and a licence will only be granted when it is sought for an appropriate WAV.
13. Vehicles must be purpose-built hackney carriages and purpose-built to carry wheelchair users.
14. Any other considerations, which may fairly and reasonably relate to the grant of a hackney carriage licence and appear to the Council to be relevant including the proposed area of operation of the vehicle in respect of area to be worked, may be taken into account at the time of the award of the said licence.