

GENERAL LICENSING SUB-COMMITTEE PANEL

TUESDAY, 16TH OCTOBER, 2018, 2.00 PM

WHEEL ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND PR25
1DH

AGENDA

1 Apologies for absence

2 Declarations of Any Interest

3 Request for a Hackney Carriage Licence

(Pages 3 - 6)

Report of Legal Services Manager/Interim Monitoring Officer attached.

4 Exclusion of the Press and Public

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

By Virtue of Paragraph 1: Information relating to any individual.

5 Application for a Hackney Carriage Drivers Licence

(Pages 7 - 16)

Report of Legal Services Manager/Interim Monitoring Officer attached.

Heather McManus
CHIEF EXECUTIVE

Electronic agendas sent to Members of the General Licensing Sub-Committee Panel Councillors David Suthers (Chair), Jane Bell, Harry Hancock, Barbara Nathan and Alan Ogilvie

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

2.00 pm Tuesday, 20 November 2018 - Wheel Room, Civic Centre, West Paddock, Leyland PR25 1DH

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REPORT TO	ON
General Licensing Sub Committee Panel	16 October 2018



TITLE	REPORT OF
Request for a Hackney Carriage Licence	Legal Services Manager/Interim Monitoring Officer

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

A report on a request for the Council to depart from its published policy on wheelchair accessible vehicles and license a saloon vehicle as a hackney carriage vehicle.

2. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	x
Health and Wellbeing	
Place	

3. RECOMMENDATIONS

Members are requested to:

- 3.1 Note the contents of the report; and
- 3.2 Determine whether it wishes to depart from its current Licensing Policy and to license a non-wheelchair accessible vehicle as a new hackney carriage vehicle.

4. BACKGROUND TO THE REPORT

- 4.1 Mr Waseem Chaudhry, has applied for a new hackney carriage vehicle licence.
- 4.2 Mr Chaudhry is currently a private hire driver and his vehicle is licenced as a private hire vehicle. He would like to apply to change his vehicle to a hackney carriage vehicle.
- 4.3 The vehicle to which the application relates is a Mercedes E220 reg MF64 JGO. A Mercedes E220 is a 4 door saloon vehicle. This type of vehicle is not wheelchair accessible and would

not allow for a passenger who is wheelchair bound to be transported while seated within their wheelchair.

- 4.4 In accordance with the wording of section 6.10 of the Taxi Licensing Policy, the council currently does not accept new hackney carriage vehicles unless they are wheelchair accessible.

6.10 Wheelchair Accessibility

The Council will only accept applications for a New Hackney Carriage Vehicle Licence for vehicles which meet the age criteria and are wheelchair accessible. There is no restriction on whether accessibility is via rear or side loading doors.

Hackney Carriage Proprietors in possession of a current Hackney Carriage vehicle licence that was issued to them on or before the 21st October 2014 (GLC minute 2014/20) may apply to replace their vehicle with either a wheelchair accessible vehicle or a non-wheelchair accessible vehicle.

All other Hackney Carriage proprietors may only replace their vehicle with a wheelchair accessible vehicle.

The decision will be reviewed in 2019, when the Council will consider whether there is still a balance of vehicles for all taxi users, and thus if the authority is complying with its equality duty.

Proprietors of vehicles which have been converted from the manufacturer's original specification, to a wheelchair accessible vehicle, must comply with the SRBC policy on modified vehicles which will be made available separately.

- 4.5 Members are referred to Appendix 2 which is the minute of the GLC dated 21/10/2014. The decision was made to allow for a mixed fleet of vehicles and for the matter to be reviewed in 5 years, when all the findings were to be presented before the committee to allow the authority to keep a watching brief not only on the number of vehicles which are wheelchair accessible but also if there is a balance of vehicles for all taxi users, and thus if the authority is complying with its equality duty.

In order to achieve the objective of guaranteeing a reasonable proportion of wheelchair accessible taxis whilst providing alternative vehicles for those with ambulatory disabilities and the elderly, it was agreed that hackney carriage proprietors in possession of hackney carriage licences would be given grandfather rights would allow flexibility among existing vehicle proprietors to purchase the most suitable vehicle to serve their client base, while ensuring that the fleet remains mixed, as all new hackney carriages licences would continue to be issued in respect of wheelchair accessible vehicles only.

- 4.6 The committee is asked to make the decision whether or not to grant a hackney carriage vehicle licence for Mr Choudhury's vehicle. Members should bear in mind the fact that within the next 6 months this part of the policy will be reviewed by the council.

5. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

5.1 Comments of the Statutory Finance Officer

There are no direct financial implications in relation to the recommendations in this report.

5.2 Comments of the Monitoring Officer.

The policy is quite clear that the Council will only accept applications for a new Hackney Carriage Vehicle Licence for vehicles which meet the age criteria and are wheelchair accessible. There is no restriction on whether accessibility is via rear or side loading doors. Departure from policy will only be made in exceptional circumstances. Members are reminded that the policy is to be reviewed fully on this point within the next 6 months.

6. Other implications:

<ul style="list-style-type: none">▶ Risk▶ Equality & Diversity▶ HR & Organisational Development▶ Property & Asset Management▶ ICT / Technology	
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7. BACKGROUND DOCUMENTS

Appendix 1 – Application form with supported statement from Charles Oaks director of the Hackney Drivers Association Ltd

Appendix 2 - Minutes of the general licensing committee on 21st October, 2014

<https://southribbleintranet.moderngov.co.uk/CeListDocuments.aspx?Committeeld=136&MeetingId=529&DF=21%2f10%2f2014&Ver=2>

Report Author:	Telephone:	Date:
Chris Ward - Licensing Officer	01772 625330	03/10/2018

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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