

POLICY FOR THE ALLOCATION OF NEW HACKNEY CARRIAGE LICENCE(S)

1 Definitions:

1.1 "The Council" is Southampton City Council as licensing authority for the purposes of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

1.2 "Application form" is the application form that must be completed by applicants who wish to be considered for the grant of a hackney carriage licence. All applicants must be over 18 years of age.

1.3 "Applicant" means an individual or a limited company.

1.3 "Closing date" will be stated on the application form and be no less than 28 days from the date that applications will be accepted.

1.4 "The ballot" for licences will be made within 14 days of the closing date.

1.5 "Licence dates" will be stated in the application form. The licence will not commence within 28 days from the ballot.

1.6 "Cut off dates" will be stated in the application form.

1.7 "Reserve list" will be a list comprising of double the number of applications drawn in turn after the successful application(s) but be no less than five applications. If less than 5 valid applications are received it will be that number of valid applications. The reserve list will only operate for the purpose of reallocating licences where successful applicants have been unable to provide a compliant vehicle by the cut off dates, where applicants who succeed in the ballot have not satisfied the Council of the likelihood of their meeting the Council's objectives. It will not in any way operate or be construed as a general "waiting list" for applicants. For the avoidance of doubt the reserve list will be destroyed immediately following the completion of this process.

2. The Council's Licensing Committee authorised the re-allocation of surrendered or expired licences, maintaining the total to 283 hackney carriage licences. Any new licences issued must be for wheelchair accessible vehicles.

3. The Council's policy objectives in this matter are:

3.1 to spread the licences amongst as many potential applicants / proprietors as possible and then randomly so as to be as fair as possible;

3.2 to allocate them on a one application, one licence basis;

3.3 not to discriminate against, or in favour of, anyone on any identifiable basis, provided that the applicant shows that the application is likely to further the Council's policy objectives;

3.4 not to restrict applications to existing members of the trade or licence holders;

3.5 to favour applicants who intend to become proprietors and not acquire licences simply to transfer them to others in order to obtain a benefit;

4. The following rules are intended to that the Council's objectives are met:

4.1 Prevention of multiple or duplicate applications:

4.1.1 the acceptance of application forms will be restricted to one per applicant or limited company.;

4.1.2 the acceptance of application forms be further restricted to one per household/company address;

4.1.3 Company officers and directors of applying limited companies cannot submit additional applications in their name. Duplicate applications will result in all related applications being rejected.

4.1.4 completed application forms must be legible, completed in all sections and completed in all respects;

4.1.5 applicants will be required to produce evidence that of their address to the satisfaction of the Council, so as to ensure that applicants are not submitting forms from a number of different addresses;

4.1.6 applicants will be required to submit a basic disclosure (DBS) that is less than 28 days old from the date of application or hold a current Southampton City Council hackney or private hire licence. In the case of Limited Companies, all directors and company officers are required to submit a basic disclosure (DBS) that is less than 28 days old from the date of application or hold a current Southampton City Council hackney or private hire licence.

4.1.7 details of all applications will be held in electronic form. Any attempt to submit duplicate applications by any means, including the use of third parties or agents will result in the elimination of the application from the process. In these circumstances all applications from or involving that individual or company or company officers and directors will be eliminated at the sole discretion of the Council;

4.2 **Generally**

4.2.1 The whole process will be monitored by the Solicitor to the Council;

4.2.2 Any attempt to fraudulently affect or alter the ballot or any part of the process will result in not only any applications by the perpetrators being eliminated but those concerned may be liable to criminal proceedings;

4.2.3 Applicants should note that success in the ballot will not be transferable and that the Solicitor to the Council reserves the right to require further information from prospective applicants where necessary. Failure to provide such information by return will result in the elimination of that application.

4.2.4 The Council will notify successful applicants in writing.

4.3 Payment of Licence Fee

A fee of £140 by cheque or card will be required prior to any licence being issued.

In the event of any payment being dishonoured, the application to which it relates will immediately be eliminated from the process.

4.5 **Wheelchair accessible hackney carriages**

Applicants are reminded that, before a licence is issued to them from the appropriate licensing date, they will have to satisfy all the usual requirements for a disabled adapted vehicle to be licensed, including the production of the vehicle registration document (in the applicant's name) and appropriate insurance certificate.

5. Applications will only be accepted by means of the prescribed form, which must be completed and received by the Licensing Team at the Civic Centre by the closing date together with the completed questionnaire and all accompanying documentation as stipulated in the attached checklist.

6. The ballot will take place by means of one of the following two methods, dependent on the number of applications received by the closing date.

6.1 **Method 1** - If the total number of properly completed, submitted, valid and accepted and application forms is the same or fewer than available licences, then:

6.1.1 There will be no requirement for a ballot or for a reserve list to be produced, if required, as every applicant (subject to satisfying the Council's requirements) will be declared successful.

6.1.2 After the cut-off date, any unissued licences will be re-advertised. The re-advertising will give details of how such licences will subsequently be distributed.

6.2 **Method 2** - If the total number of properly completed and submitted applications is more than the available licences:

6.2.1 Every applicant subject to the rules set out in this document will be eligible to participate in the ballot;

6.2.2 The ballot process will consist of one round;

6.2.3 The ballot will produce successful applicant(s), together with a reserve list;

6.2.4 Successful applicant(s) will be notified in writing by the Council and such applicants will then be able to proceed to obtain a suitable wheelchair accessible vehicle and present them for submission before the cut off date so as to be licensed from the appropriate licensing date;

6.2.5 A sufficient number of applicants who were not amongst those drawn will be placed on the reserve list in the order in which their application is drawn and will also be notified in writing. That number will be double the number of available licences but not less than five. In the event there are less applications remaining to achieve this, all those valid accepted remaining applications will form the reserve list.

6.2.6 The reserve list will operate so that, if any successful applicant is either unable or unwilling to produce a compliant vehicle by the appropriate cut off date, then the opportunity to obtain a licence will be offered to the next named applicant on the reserve list. The reserve list will also operate in the event of any person drawn but not being able to satisfy the Council's requirements as to meeting its objectives.

6.2.7 The only persons entitled to be included on the reserve list will be those who have made a valid application but who have been unsuccessful in the first instance.

6.2.8 The reserve list will only operate for the purpose of allocating licences in this process and will not become a "waiting list" for any other purpose. For the avoidance of doubt the reserve list will be destroyed immediately following the completion of this process.