

THE CRITERIA: JUSTIFICATION

Background

Once significant unmet demand has been identified, the Local Authority cannot refuse to grant a hackney carriage proprietor's licence. However, the method of issue is discretionary.

The criteria has been developed to ensure that the proprietors which are licensed will provide the best service possible to the residents of Leeds. The legislation under which the hackney carriage proprietor's licence falls does not provide any guidance on how the licence should be granted. However, it is a Proprietor's Licence and therefore the Local Authority must be satisfied that the recipient of a licence will provide a vehicle which is satisfactory.

Leeds City Council has identified accessibility and quality of service provision as being of paramount importance when determining what qualities are of most importance when determining an allocations criteria to assist in granting these licences.

Leeds City Council requires all newly licensed hackney carriage vehicles to be accessible by passengers who use a wheelchair. A licence will not be granted for any other type of vehicle and the vehicle proposed must be approved or appear on the Council's Approved List of Vehicles.

Groupings

It is recognised that Applicants who are currently licensed as a hackney carriage driver or proprietor have a knowledge, commitment and experience which will be of benefit to those using the hackney carriage service in Leeds. The Authority recognises that those presently working within the hackney trade have this knowledge, experience and commitment and therefore Applicants presently licensed as hackney drivers or proprietors will be allocated licences before those Applicants who are from a private hire background or those who do not presently work within the licensed trade.

Whilst there is no requirement that Applicants should reside in the Leeds area, to reflect the fact that those who are presently licensed by the Authority do have knowledge and experience of the trade in Leeds, those who hold a Leeds licence will be given priority over those who may be licensed elsewhere. However, to reflect the fact that those who are licensed do have experience of the trade, applicants who have licences granted by other Local Authorities will be "ranked" higher than the general public.

The Financial Plan

In respect of service provision, the Local Authority must be satisfied that the proprietor will provide a good service to visitors to and residents of Leeds. Consequently, in considering the application regard will primarily be had to the financial plan put forward by the Applicant.

Licensee History

To reflect the standard of service which the Local Authority expects and customer care, those Applicants who are or have been licensed by Leeds City Council or another Authority will be allocated additional points. These points will be distributed depending on the length of service of an Applicant. However, points will be deducted where the Applicant has received a suspension from the relevant Licensing Authority. A maximum length of service (5 years) has been applied. This has been included to reflect the commitment given to the service but also to open the process up to all drivers, including those who may be new to the trade but can still offer a quality service. It is also recognised that a proportion of the licensed trade in Leeds are from an ethnic background and the Council is keen to promote applications from all sections of the community in line with its corporate Equal Opportunities policies. No minimum service requirement has been set but Applicant's will only accrue points for each full year of their service.

Breaks of service of less than ninety days will not be penalised. The reasons given by an Applicant for a break of service of more than ninety days may be considered by the Panel when determining whether to deduct points.

Criminal Record

The Local Authority also recognises that licence holders are placed in a position of trust. Therefore, applicants with a criminal record will be rejected save for those applicants who have minor road traffic or motoring offences. Consequently each Applicant will be subject to a Police check irrespective of whether they have already been vetted as part of an earlier licence application. The appropriate fee will be payable to the Criminal Record Bureau for this check.