Policy and Criteria: Allocation of a Hackney Carriage Vehicle Licence

Updated 20 January 2025

Wigan Council currently has a limit on the number of hackney carriage vehicle licences it will issue, that limit being 136.

This policy sets out Wigan Council's approach where there is availability for a hackney carriage vehicle licence to be granted. This policy would be followed in the following scenarios:

- The natural expiry of a licence;
- The revocation of a licence;
- The refusal to renew a licence;
- The surrender of a licence; or
- If new licences became available, over and above the limit of 136.

Process

Where a licence becomes available, the Council's Licensing Team will email all existing hackney carriage and private hire drivers, inviting them to submit expressions of interest in accordance with this policy. A form to enable applicants to submit an expression of interest will be provided. The time period within which expressions of interest can be submitted will be included in the email. The Licensing team will also display a notice on the following web page:

www.wigan.gov.uk/taxilicensing

Any person wishing to submit an expression of interest should read and ensure they fully meet the criteria listed in this document.

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, from those that do not meet the criteria. Those that meet the criteria will then be entered into a 'draw'.

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 notify them that they have not met the criteria.

All successful expressions of interest will be recorded on the Licensing database and allocated a unique reference. Each expression of interest will then be placed into sealed envelopes, and a 'tombola style draw' shall be carried out at the next meeting of the Regulation Committee. The

Licensing Team will notify successful applicants that they have met the criteria and advise them when the 'draw' will take place.

Browse meetings - Regulation Committee (wigan.gov.uk)

At the meeting 2 envelopes shall be drawn (for each licence that is available) and the unique reference numbers relating to each individual will be recorded.

The individual linked to the first envelope that is drawn will be sent an email advising that their expression of interest has been successful and they will be given a period of 2 months in which to submit a satisfactory application in line with the specified criteria and pass a vehicle inspection.

The individual linked to the second envelope that is drawn will be sent an email advising that their envelope was drawn second, and that if the individual linked to the first envelope does not submit a satisfactory application in line with the specified criteria and pass a vehicle inspection, they would then be given the opportunity to apply.

Emails will be sent to any other individual who had been unsuccessful in this draw.

If, on the expiry of 2 months from the draw, the first individual has not successfully submitted a satisfactory application and passed a vehicle inspection, the individual linked to the second envelope that was drawn, will be sent an email advising that they now have a period of 2 months in which to submit a satisfactory application in line with the specified criteria and pass a vehicle inspection.

If both individuals fail to submit satisfactory applications in line with the specified criteria and pass a vehicle inspection, a further draw would be carried out at the meeting of the next Regulation Committee. Those that had been unsuccessful at the first draw would be invited to be part of any subsequent draw.

Those who had previously been drawn but failed to apply shall be excluded from any subsequent draw.

The Council has the overall discretion in relation to determining whether to grant to a proprietor, a hackney carriage vehicle licence.

The Criteria

1. The applicant must be an existing private hire and / or hackney carriage driver with Wigan Council at the time the period for submitting expressions of interest opens.

2. Where the applicant, is not yet the holder of a hackney carriage driver licence, but holds a private hire driver licence, they must

submit an application for a hackney carriage driver licence prior to the time period for submitting expressions of interest ends.

3. The applicant must live within the Wigan Borough; or have held a private hire and / or hackney carriage driver licence issued by Wigan Council for at least 3 years.

4. Expressions of interest cannot be submitted by individuals who already hold a hackney carriage vehicle licence.

5. Only 1 expression of interest shall be accepted per address (within the Wigan Borough).

6. The applicant must be update to date with all mandatory Licensing requirements, which includes having attended any relevant mandatory training, and be signed up to the DBS Update Service.

7. Expressions of interest cannot be submitted by any individual who has, in the 5 years preceding the date expressions of interest are opened, had any hackney carriage or private hire licences refused or revoked, by this or any other local authority.

8. The applicant will be required to be the owner and driver of the vehicle.

9. The vehicle which is proposed must be a wheelchair accessible vehicle (WAV) and meet the Council's full vehicle eligibility criteria, as set out on the following web page:

   https://www.wigan.gov.uk/Business/Licensing-Permits-Registrations/Taxi-and-Private-Hire/Vehicle-Eligibility.aspx

10. The successful applicant will not be permitted to transfer the licence within the first 5 years, following the allocation. If during this period the licence holder no longer wishes to hold the licence, the licence should be returned to the Council for re-allocation in line with the policy.

11. 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, may be taken into account at the time of the award of any licence.

12. The Council may depart from this policy where it is considered justified and reasonable to do so.

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