

---

**Subject:** LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLES OUTSIDE OF POLICY GUIDELINES – MR D SAUNDERS

**Meeting and Date:** Regulatory Committee – 26 February 2013

**Report of:** John Newcombe, Licensing Team Leader

**Classification:** Unrestricted

---

**Purpose of the report:** To consider extending approval for the licensing of two Private Hire Vehicles outside of policy guidelines

---

**Recommendation:** That the Committee determine the application

---

## 1. Summary

1.1 At the meeting of the Regulatory Committee on 9 August 2012 it was resolved to approve, for a trial period of 6 months, a Private Hire Vehicle licence for a Smart 'fortwo' coupe YF59 EZJ. At the meeting of the Regulatory Committee on 18 September 2012 a second, similar vehicle was granted a Private Hire Vehicle Licence for the same trial period of 6 months. Both vehicles were also granted permission to carry the logo 'Cabfor1' as part of the branding for the company. The Committee resolved to review the decision in 6 months time, a period which has now passed.

## 2. Introduction and Background

2.1 The regulation of Hackney Carriage & Private Hire Vehicles is a statutory duty of the Council under the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

2.2 This Council has a policy stating that:

Any vehicle licensed for use as a hackney carriage or private hire vehicle must:

1. Have an engine capacity of not less than 1500 cc.
2. Have at least four doors and be of sufficient size to accommodate at least four and up to eight passengers. The minimum dimensions for any single seat shall be 18 inches (46 cm) wide measured from side to side and 12 inches (30 cm) from front to back. There shall be a minimum of 12 inches (30 cm) legroom.
3. Be fitted with sufficient seatbelts for the number of persons it will be licensed to carry.
4. Have adequate storage for the luggage for the number of persons it will be licensed to carry.

2.3 In addition, the last page of the Council's current policy also states that:

## **Advertising**

No advertising material, letter headings or other stationary, or any business name used by the operator, shall include the words "taxi" or "cab" whether in the singular or plural and whether they form part of another word or not, unless the vehicle used is a licensed Hackney Carriage.

- 2.4 The policy also states "applicants wishing to licence vehicles outside of the policy should show sufficient reason for the Council to deviate from agreed policy".
- 2.5 The Committee resolved to approve the licences subject to a review after a period of 6 months (**Appendices A & B**).
- 2.6 Officers can advise that there have been no problems, by way of complaint or otherwise, with the operation of the two vehicles during the initial trial period of 6 months.

## **3. Identification of Options**

- 3.1 The Committee is asked to review the matter and further decide about these licences. The options are:
  - (a) To extend the approval for the licensing of these two Private Hire Vehicles notwithstanding that this would be a deviation from existing policy; or
  - (b) To reject the extension of approval for the Private Hire Vehicle licences.

## **4. Evaluation of Options**

- 4.1 To evaluate these options:
  - (a) There have been no problems, by way of complaint or otherwise, with the operation of the two vehicles during the initial trial period of 6 months.
  - (b) This option is not recommended by Officers as there have been no problems during the trial period.

## **5. Resource Implications**

- 5.1 There are no resource implications arising from this report.

## **6. Appendices**

Appendix A – Minutes from Regulatory Committee 9 August 2012

Appendix B – Minutes from Regulatory Committee 18 September 2012

## **7. Background Papers**

Hackney Carriage & Private Hire Licensing Policy

Contact Officer: John Newcombe, Licensing Team Leader