
Subject: LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES – MRS S REYNOLDS

Meeting and Date: Regulatory Committee – 15 March 2013

Report of: John Newcombe, Licensing Team Leader

Classification: Unrestricted

Purpose of the report: To consider an application to licence two Hackney Carriage Vehicles outside of policy guidelines.

Recommendation: That the Committee determine the application(s)

1. Summary

- 1.1 Mrs Sam Reynolds of County Cars, on behalf of the plate holder Mrs Burrows, has written to the Council asking for permission to renew Hackney Carriage Vehicle licence HV016 for a 2005 Skoda Octavia GN05 UPO, which has covered 307,216 miles (**“Vehicle 1”**); and also, on her own behalf, to renew Hackney Carriage Vehicle licence HV031 for a 2006 Skoda Octavia GF06 OND, which has covered 308,002 miles (**“Vehicle 2”**). Both vehicles exceed the maximum mileage limit of 300,000 miles specified within the Hackney Carriage & Private Hire Licensing Policy 2013-16. A copy of Mrs Reynolds’ letter is included at **Appendix A**.

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 “No application for the renewal of a hackney carriage or private hire vehicle licence will be granted if the vehicle, when application is made, exceeds 8 years of age, or the total mileage travelled by the vehicle exceeds 300,000 miles.
- 2.3 The policy also states “Applications for vehicles that fall outside of the policy guidelines will be referred to the Regulatory Committee for consideration” and that “each application will be considered on its own merits”.
- 2.4 Mrs Reynolds has applied to renew the licences for two Skoda Octavias; HV016 GN05 UPO and GF06 OND, both vehicles fall outside of the current mileage policy. Vehicle 1 has covered 307,216 miles and is approximately 7 years and 8 months old, being first registered on 30 Jun 2005. The current licence expires on 31 Mar 2013. Vehicle 2 has covered 308,002 miles and is approximately 6 years and 8 months old, being first registered on 14 Aug 2006. The current licence of Vehicle 2 expired on 28 Feb 2013 and has been given a temporary extension pending a decision of the Committee. Mrs. Reynolds states that both the vehicles have had new engines, are in a very good condition and have been maintained to a very high standard.
- 2.5 Both vehicles have been visually inspected by the Licensing Enforcement Officer and found to be in satisfactory condition. Both vehicles have current MOT test certificates.

- 2.6 The reason given in their letter for the request by County Cars for Committee to use their discretion and not strictly follow the policy in this regard is that they are currently suffering some financial difficulties (**Appendix A**).

3. Identification of Options

3.1 Options:

- (a) To allow the application for the renewal of one or both Hackney Carriage vehicle licences notwithstanding that this would be a deviation from existing policy.
- (b) To reject either or both of the application(s) as there are insufficient reasons to justify a deviation from existing policy.
- (c) To allow one or both of the applications but for a lesser period than the year for which it is usually granted.

4. Evaluation of Options

4.1 Options:

- (a) Both vehicles are over the mileage limits defined in policy for the renewal of a licence. However, Mrs. Reynolds is requesting that the Committee consider whether both vehicles could be licensed for an extra year as they feel that they are in such good condition and have been well looked after and that this would assist them financially. Both vehicles fall within the current age limits for renewal (although Vehicle 1 is quite close to this age limit).

If such a deviation from policy were allowed then it is suggested that it would be advisable to consider stating that this was an exceptional circumstance and that under normal circumstances such a deviation would not be considered.

- (b) If the Committee felt that there were insufficient reasons to deviate from the Policy, then the application/s should be refused.
- (c) The Committee may feel that it is appropriate to grant one or both of the licences for a shorter period in this instance.

5. Resource Implications

There are no resource implications arising from this report.

6. Appendices

Appendix A – Letter submitted by Sam Reynolds of County Cars

7. Background Papers

Hackney Carriage & Private Hire Licensing Policy 2013-16

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