
Subject:	LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES
Meeting and Date:	Regulatory Committee – 11 September 2018
Report of:	Licensing Team Leader
Classification:	Unrestricted

Purpose of the report:	To consider an application to grant a licence for a private hire vehicle outside of policy guidelines
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1. Summary

- 1.1 Mr Nigel Wheeler of Summer Hayes, The Forstal, Preston has submitted an application to the Council asking for permission to licence a Vauxhall Insignia as a Private Hire Vehicle. This vehicle falls outside of the current vehicle age policy; being registered on 15 November 2010. The vehicle LD60 XMK has 4 passenger seats and will be used exclusively for chauffeur service and is not intended to be used for any other purpose.

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 The Dover District Council Hackney Carriage and Private Hire Policy states in paragraph 2.4.1 that:
- “No application for a hackney carriage or private hire vehicle licence will be granted if the vehicle, when initial application is made, exceeds 5 years of age”.*
- 2.3 Applicants wishing to licence vehicles outside of the policy should show sufficient reason for the Council to deviate from agreed policy.
- 2.4 Mr Wheeler has applied to licence a Vauxhall Insignia as a private hire vehicle. The vehicle was first registered on 15 November 2010 and therefore falls outside of the current vehicle age policy. The vehicle had covered mileage of 36,500 miles at the time of the application. The vehicle will only be used for chauffeur services and will not be used for any other private hire purpose.

3 Identification of Options

Options:

- (a) To allow the application for the grant of Private Hire Vehicle licence to the vehicle notwithstanding that this would be a deviation from existing policy.
- (b) To allow the application for the grant of Private Hire Vehicle licence to the vehicle and give authorisation to the Licensing Team Leader to approve this vehicle for renewal in the future providing it remains to a good standard and is to be solely used for chauffeur services.
- (c) To reject the application as there are insufficient reasons to justify a deviation from existing policy.

4 **Evaluation of Options**

Options:

- (a) The vehicle is over the age defined in the policy for the grant of a licence. However, Mr Wheeler is requesting that the Committee consider whether the vehicle could be licensed as he feels his application is exceptional circumstances and that the vehicle is maintained to very high standard, and is in such good condition.
- (b) If such a deviation from policy were allowed then it would be necessary to make clear that this was an exceptional circumstance and that under normal circumstances such a deviation would not be considered.
- (c) If the Licensing Team Leader was authorised to approve this vehicle for renewal in the future without the need to come before the Regulatory Committee, it would be necessary to make it clear that under normal circumstances such a deviation would not be considered.
- (d) If the Committee felt that there were insufficient reasons to deviate from the Policy, then the application should be refused.

5 **Resource Implications**

There are no resource implications arising from this report.

6 **Appendices**

Appendix A – Application form and supporting papers submitted by Mr Wheeler

7 **Background Papers**

Hackney Carriage & Private Hire Licensing Policy
Local Government (Miscellaneous Provisions) Act 1976.

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