
Subject:	LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES
Meeting and Date:	Regulatory Committee – 12 March 2019
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 Adrian Bamblett has submitted an application to the Council asking for permission to licence a Vauxhall Zafira as a Private Hire Vehicle. This vehicle falls outside of the current vehicle age policy; being registered on 19 August 2009. The vehicle LY09 HMU has 7 passenger seats.

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.

- 3 Mr Bamblett has applied to licence a Vauxhall Zafira as a private hire vehicle. The vehicle was first registered on 19 August 2009 and therefore falls outside of the current vehicle age policy. The mileage on the vehicle at the time the application was made was 103,777 miles.

4 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.
- (c) To reject the application as there are insufficient reasons to justify a deviation from existing policy.

5 **Evaluation of Options**

Options:

- (a) The vehicle is over the age defined in the policy for the grant of a licence. However, Mr Bamblett is requesting that the Committee consider whether the vehicle could be licensed as he feels 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 outside of the Council's Policy and based on exceptional circumstances.
- (c) Members may like to consider authorising the Licensing Team Leader to approve this vehicle for renewal in the future without the need to come before the Regulatory Committee.
- (d) If the Committee felt that there were insufficient reasons to deviate from the Policy, then the application should be refused.

6 **Resource Implications**

There are no resource implications arising from this report.

7 **Appendices**

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

8 **Background Papers**

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

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