
Subject:	LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO TRANSFER A HACKNEY CARRIAGE LICENCE TO A VEHICLE THAT IS OUTSIDE OF POLICY GUIDELINES
Meeting and Date:	Regulatory Committee – 21 January 2020
Report of:	Licensing Team Leader
Classification:	Unrestricted

Purpose of the report:	To consider an application to transfer a hackney carriage licence onto a vehicle, that is outside of policy guidelines
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1. Summary

- 1.1 Mr Mark Oatridge of Deal, Kent has submitted an application to the Council asking for permission to licence a Peugeot Partner as a Hackney Carriage Vehicle. This vehicle falls outside of the current vehicle age policy; being registered on 30 June 2012. The vehicle SF12 LHL has 4 passenger seats and is wheelchair accessible.
- 1.2 As there are no new hackney carriage licences available, Mr Oatridge seeks to transfer this vehicle onto an existing hackney carriage licence which is held in his name – HV032. The vehicle that is currently on this hackney carriage plate is also wheelchair accessible.

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 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 The vehicle was first registered on 30 June 2012 and therefore falls outside of the current vehicle age policy. The vehicle had covered mileage of 18,869 miles at the time of the application.
- 2.5 The vehicle has been inspected by the Licensing Enforcement Officer and was found to be exceptionally well maintained.

3 Identification of Options

Options:

- (a) To allow the application for the transfer of the Hackney Carriage licence to the vehicle, notwithstanding that this would be a deviation from the existing vehicle age policy.

- (b) To allow the application for the transfer of the Hackney Carriage licence to the vehicle and give authorisation to the Licensing Team Leader in future as per paragraph 2.4.3 of the policy which states: “No application for the renewal of a hackney carriage or private hire vehicle licence purpose built for the carrying of wheelchair dependant passengers, or a type licensed by the Public Carriage Office as a London Cab will be granted if the vehicle, when application is made, exceeds 12 years of age”.
- (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 vehicle licence. However, Mr Oatridge 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 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 Oatridge

7 **Background Papers**

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

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