
Subject:	LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO RENEW A PRIVATE HIRE LICENCE FOR A VEHICLE THAT IS OUTSIDE OF POLICY GUIDELINES
Meeting and Date:	Regulatory Committee – 17 March 2020
Report of:	Licensing Team Leader
Classification:	Unrestricted

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

- 1.1 Mr Gary Gasking of Deal, Kent has submitted an application to the Council to renew the private hire vehicle licence for a Peugeot Partner, which falls outside of the current vehicle age policy, being registered on 8 October 2009. The vehicle GF59 DYU has 4 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 2.4.2 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”.

and at paragraph 2.4.5:

“The Licensing Team Leader has delegated authority to extend the time limits set out above for prestige or exceptionally well-maintained vehicles by a maximum of two further years”.

- 2.3 In 2018 and 2019, the vehicle was approved to continue by the Licensing Team Leader, but now that the vehicle has reached 11 years of age, there is no delegated authority to do so.
- 2.4 Applicants wishing to licence vehicles outside of the policy should show sufficient reason for the Council to deviate from agreed policy.
- 2.5 The vehicle was first registered on 8 October 2009 and therefore falls outside of the current vehicle age policy. The vehicle has covered mileage of 233,117 miles at the time of the application. It has been a licensed vehicle with Dover District Council since 2010.
- 2.6 The vehicle has been inspected by the Licensing Enforcement Officer and was found to be in average condition.

3 **Identification of Options**

Options:

- (a) To allow the application for the renewal of the Private Hire vehicle licence, notwithstanding that this would be a deviation from the existing vehicle age policy.
- (b) 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 renewal of a vehicle licence. However, Mr Gasking is requesting that the Committee consider whether the vehicle could be licensed as he has been unable to find a replacement vehicle within budget that has the required horse power.
- (b) If such a deviation from policy were allowed then it would be necessary to make it 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 Gasking

7 **Background Papers**

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

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