
Subject:	LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES
Meeting and Date:	Regulatory Committee – 25 May 2021
Report of:	R Pordage - Licensing Manager
Classification:	Unrestricted

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

1.1 Mr David McWilliams of Aylesham, has submitted an application to the Council asking for permission to renew the licence on his Vauxhall Zafira as a Private Hire Vehicle. This vehicle falls outside of the current vehicle age policy; being registered in November 2010. The vehicle DM06 SJM has 6 passenger seats and is intended to be used for school runs and other private hire duties.

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 will be granted if the vehicle, when application is made, exceeds 8 years of age”.

In addition, it states in paragraph 2.4.5 that:

The Licensing Team Leader has delegated authority to extend the time limits set out at 2.4.1 – 2.4.4 for prestige or exceptionally well maintained vehicles by a maximum of two further years.

2.3 Applicants wishing to licence vehicles outside of the policy should show sufficient reason for the Council to deviate from the agreed policy.

2.4 Previous renewals of this vehicle have been authorised by the Licensing Team Leader, as per the Dover District Council Hackney Carriage and Licensing Policy delegations. However, as this vehicle is now 10 years and 6 months old, this can no longer be delegated to the Licensing Manager, and therefore has been referred to the Regulatory Committee. The application can be found at **Appendix A**. The current mileage on the vehicle is approximately 187,000 miles. The vehicle has been not been inspected by the Licensing Enforcement Officer as face to face inspections have not yet resumed due to covid restrictions in place at the time of the application. Mr McWilliams has provided some photos of the vehicle’s interior and exterior which are shown at **Appendix B**. The vehicle will be available on the day of the hearing for inspection.

2.5 Mr McWilliams has requested that the vehicle be relicensed as it is in good condition and he has spent a lot of money on the engine and servicing and lots of new parts.

Due to the coronavirus pandemic, he is not in a position to purchase a new vehicle at this time.

2.6 Vehicle licences are for a period of 12 months.

3 **Identification of Options**

Options:

- (a) To allow the application for the renewal of Private Hire Vehicle licence to the vehicle notwithstanding that this would be a deviation from existing 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 licence. However, Mr McWilliams is requesting that the Committee consider whether the vehicle could be licensed as it is maintained to a 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 McWilliams

Appendix B – Photographs of the vehicle

7 **Background Papers**

Hackney Carriage & Private Hire Licensing Policy

Local Government (Miscellaneous Provisions) Act 1976.

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