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**Subject:** LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLES OUTSIDE OF POLICY GUIDELINES – MR D SAUNDERS

**Meeting and Date:** Regulatory Committee – 13 June 2013

**Report of:** John Newcombe, Licensing Team Leader

**Classification:** Unrestricted

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**Purpose of the report:** To consider approval for the licensing of a further three Private Hire Vehicles outside of policy guidelines

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**Recommendation:** That the Committee determine the application

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## 1. Summary

- 1.1 At the meeting of the Regulatory Committee on 9 August 2012 it was resolved to approve, for a trial period of 6 months, a Private Hire Vehicle licence for a Smart 'fortwo' coupe YF59 EZJ. At the meeting of the Regulatory Committee on 18 September 2012 a second, similar vehicle was granted a Private Hire Vehicle Licence for the same trial period of 6 months. Both vehicles were also granted permission to carry the logo 'Cabfor1' as part of the branding for the company. The Committee resolved to review the decision after 6 months, and on 26 February 2013 the Regulatory Committee resolved to approve the granting of both licences for the full 12 months.
- 1.2 Mr Saunders is now seeking permission to add three further Smart 'fortwo' vehicles to his fleet.

## 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 Council's Hackney Carriage and Private Hire Licensing Policy 2013-2016 states that:
- 2.2.4 Vehicles can be licensed for the carriage of between four and eight passengers. Applications in relation to vehicles that wish to accommodate less than four passengers shall be referred to the Regulatory Committee.
- 2.2 The current policy further states within:

### **APPENDIX B – VEHICLE SPECIFICATION AND CONDITIONS OF LICENCE FOR PRIVATE HIRE VEHICLES:**

#### **7. Doors**

7.1 The vehicle shall have a minimum of 4 side opening doors which are easily accessible to passengers without the need to move or adjust any seats etc, to gain access to them.

## **8. Seats**

8.1 Vehicles shall have a passenger seating capacity of not less than 4 persons and not more than 8 persons.

## **20. Signs and Notices**

20.1 Subject to 21.2 the proprietor of a private hire vehicle shall not display or suffer or permit to be displayed on a private hire vehicle any sign or notice which consists of or includes the word TAXI or CAB whether in the singular or plural or FOR HIRE or any word or words of similar meaning or appearances to any one of those words, whether alone or as part of another word.

2.3 The policy also states

2.4.5 Applications for vehicles that fall outside of the policy guidelines will be referred to the Regulatory Committee for consideration.

2.4 The Regulatory Committee have previously resolved to approve two Private Hire Vehicle licences (**Appendices A to C**).

2.5 Officers can advise that there have been no problems, by way of complaint or otherwise, with the operation of the two vehicles since permission was granted.

## **3 Identification of Options**

3.1 The Committee is asked to review the matter and further decide about these licences.

The options are:

- (a) To grant approval for the licensing of a further three Private Hire Vehicles notwithstanding that this would be a deviation from existing policy; or
- (b) To reject the approval for the Private Hire vehicle licences.

## **4 Evaluation of Options**

4.1 To evaluate these options:

- (a) There have been no problems, by way of complaint or otherwise, with the operation of the two vehicles since being granted.
- (b) This option is not recommended by Officers as there have been no problems since the previous two licences were granted.

## **5 Resource Implications**

There are no resource implications arising from this report.

## **6 Appendices**

- Appendix A – Minutes from Regulatory Committee 9 August 2012
- Appendix B – Minutes from Regulatory Committee 18 September 2012
- Appendix C – Minutes from Regulatory Committee 26 February 2013
- Appendix D – E-mail from Mr Saunders 20 May 2013

## **7 Background Papers**

Hackney Carriage & Private Hire Licensing Policy

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