
Subject: LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES – RELYON TRANSPORT

Meeting and Date: Regulatory Committee – 26 September 2013

Report of: Licensing Team Leader

Classification: Unrestricted

Purpose of the report: To consider an application to re-licence four Private Hire Vehicles outside of policy guidelines

Recommendation: That the Committee determine the applications

1. Summary

1.1 Miss Jodie Milner, Operations Manager of Relyon Transport is requesting permission to re-licence four Ford Transit Minibuses as Private Hire Vehicles. All four vehicles fall outside of the current vehicle age policy being registered between 2002 and 2005, although they all fall well within the current mileage limit. The vehicles have eight seats and are used to transport passengers to and from Dover Port/Cruise Terminal and the parking facilities at the applicant's business address and are not used for any other purpose.

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 This Council has a policy stating 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, or the total mileage travelled by the vehicle exceeds 300,000 miles."

2.3 The Company first applied to licence four Ford Transit Minibuses as private hire vehicles – VX52 WXS, VA03 YTN, GLO4 USZ and KP05 OUT in September 2012. The vehicles have been modified to only carry a maximum of 8 passengers and therefore fall under the Council's private hire licensing regime. If the vehicles were fitted with their full complement of seats, they would require licensing under VOSA regulations as PSV vehicles. The vehicles were first registered between 2002 and 2005 and therefore fell outside of what was then the vehicle age policy for the grant of a licence (that is, not exceeding three years of age). Members considered the condition of the vehicles, the low mileage and the use to which the vehicles were to be put and determined on 18th September 2012 that the vehicles could be licensed for a period of one year. Appendix A

2.4 Private hire vehicle licences were issued with a condition restricting the use of each vehicle to transporting passengers between the Port of Dover/Cruise Terminal and the parking facilities operated by the company in Poulton Close, Dover.

2.5 These licences are now due for renewal at the end of September and permission is requested to renew the licences given their good condition and low mileages.. Appendix B.

3. Identification of Options

3.1 Options:

- (a) To allow the applications for the renewal of Private Hire Vehicle licences to the vehicles notwithstanding that this would be a deviation from existing policy.
- (b) To reject the applications as there are insufficient reasons to justify a deviation from existing policy.

4. Evaluation of Options

4.1 Options:

- (a) The vehicles are over the age defined in policy for the renewal of a licence, (that is, they exceed eight years of age) however, Mr Lamb is requesting that the Committee consider his applications to re-license the vehicles. He remains of the opinion that the vehicles are all maintained to very high standards, are in very good condition and the mileages fall well below the 300,000 mile limit. Mr Lamb operates a long-term parking facility for passengers using the Port and Cruise Terminal and the vehicles are only used to transport clients between these locations.

Should this be Members' preferred option, they may wish to consider delegating the decision to re-license each vehicle to the Licensing Team Leader for a set period after which the matter must return to Committee for consideration, should the company still wish to re-licence any of the vehicles.

- (b) If the Committee felt that there were insufficient reasons to deviate from the Policy, then the application should be refused.

5. Resource Implications

5.1 There are no resource implications arising from this report.

6. Appendices

Appendix A – Minutes of the meeting of the Regulatory Committee held on 18th September 2012.

Appendix B – Letter and applications submitted by Mr Lamb

7. Background Papers

Hackney Carriage & Private Hire Licensing Policy

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