
Subject: LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – APPLICATION TO LICENCE VEHICLE OUTSIDE OF POLICY GUIDELINES – MR ABDUL HASSAN RAJABI

Meeting and Date: Regulatory Committee – 15 October 2013

Report of: Rebecca Pordage, Licensing Enforcement Officer

Classification: Unrestricted

Purpose of the report: To consider an application to licence a Private Hire Vehicle outside of policy guidelines

Recommendation: That the Committee determine the application

1. Summary

1.1 Mr Abdul Hassan Rajabi has applied to the Council for the grant of a new Private Hire Vehicle licence for a Skoda Octavia GF58 KND. The date of first registration is 29 November 2008.

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 a hackney carriage or private hire vehicle licence will be granted if the vehicle, when application is made, exceeds 5 years of age, or the total mileage travelled by the vehicle exceeds 100,000 miles.”

2.3 The policy also states “applicants wishing to licence vehicles outside of the policy should show sufficient reason for the Council to deviate from agreed policy”.

2.4 Mr Rajabi has applied to licence a vehicle that falls outside of the current mileage limits specified in the policy. The vehicle has covered 104,136 miles although it is under 5 years old.

2.5 The Licensing Enforcement Officer inspected the vehicle on 17 September 2013 and found the vehicle to be in extremely good condition and all relevant paperwork to be in order.

3. Identification of Options

3.1 Options:

(a) To allow the application for the grant of the 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

4.1 Options:

- (a) The vehicle is over the mileage defined in policy for the grant of a licence, however, Mr Rajabi is requesting that the Committee consider whether the vehicle could be licensed as he feels it is in such good condition and that the mileage is only 104,136 miles.

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.

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

5. Resource Implications

None.

6. Appendices

Appendix A – Application form submitted by Mr Rajabi

Appendix B – Licensing Enforcement Officer's inspection report form

7. Background Papers

Hackney Carriage & Private Hire Licensing Policy

Contact Officer Rebecca Pordage, Licensing Enforcement Officer