

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

18 APRIL 2018

REPORT OF THE CORPORATE DIRECTOR, OPERATIONAL AND PARTNERSHIP SERVICES

APPLICATION TO LICENCE HACKNEY CARRIAGE VEHICLE

1. Purpose of Report.

- 1.1 To ask the sub-committee to consider an application to grant a licence for a hackney carriage vehicle.

2. Connection to Corporate Improvement Plan / Other Corporate Priority.

- 2.1 None

3. Background.

- 3.1 It is the duty of the Local Authority to determine applications made under the Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847. Applications which fall outside the policy guidelines are referred to a Licensing Sub-Committee for determination.

4. Current situation / proposal.

- 4.1 Application is made by Mohammed S Miah to licence a Toyota Active vehicle registration number MF18 GZH as a hackney carriage vehicle to seat 4 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 1 March 2018.
- 4.3 The application falls outside the Hackney Carriage Vehicle Policy approved by the Licensing Committee. The vehicle is not wheelchair accessible, but there are specific policy guidelines in respect of the first licensing of hackney carriage vehicles which fall outside policy guidelines, which are set out below. For Members' information, no service history has been provided.
- 4.4 The applicant has not provided a reason why the application was submitted outside the published guidelines.
- 4.5 Policy Guidelines

The vehicle policy applicable to this application was approved by the Licensing Committee on 10 March 2008. The relevant extract from the policy is as follows:

“(Policy 2.1) Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no greater than 500 miles. The applicant may be the second or a subsequent

registered keeper but the applicant must demonstrate that there is no more than 14 days between the first registration and transfer to the applicant's name. Applications will normally be dealt with under the Scheme of Delegation to Officers.

(Policy 2.2) Applications for the first licensing of vehicles falling outside the above policy guidelines will normally be refused but a relaxation of the policy may be considered in exceptional circumstances. The general guidelines for relaxation of the policy are as follows but each case will be dealt with on its merits:

(Policy 2.2.1) A relaxation of the policy in respect of the hackney carriages is likely to relate to only to evidenced delay in the DVLA registration process or minor variations in delivery mileage. Applications will normally be dealt with under the Scheme of Delegations of Officers.

(Policy 2.4) All applicants should be satisfied that they can meet all current policy requirements before submitting an application and are advised that they submit an application which falls outside the above policy guidelines at their own risk. Acceptance of an application does not infer that it will be granted. Applicants are strongly advised not to purchase a vehicle or make any other financial commitment until the application is determined."

5. Effect upon Policy Framework & Procedure Rules.

5.1 None

6. Equality Impact Assessment.

6.1 This vehicle is not for wheelchair use. There are no other implications in relation to age; disability; gender and transgender; race; religion or belief and non-belief; sexual orientation.

7. Financial Implications.

7.1 None for the Authority.

8. Recommendation.

8.1 The Sub-Committee is asked to determine the application having regard to the information contained within this report.

Andrew Jolley
Corporate Director Operational and Partnership Services

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Background documents

Hackney Carriage Vehicle Application

Hackney Carriage Vehicle Policy Guidelines