

**BRIDGEND COUNTY BOROUGH COUNCIL**

**REPORT TO LICENSING SUB COMMITTEE**

**11 November 2014**

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES**

**APPLICATION TO LICENCE PRIVATE HIRE VEHICLE**

**1. Purpose of Report.**

- 1.1 To ask the sub-committee to consider the application to grant a licence for a private hire wheelchair accessible 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. These applications are referred to Licensing Sub-Committee for determination.

**4. Current situation / proposal.**

- 4.1 Application is made by Peyton Travel Ltd to licence a Silver Vauxhall Vivaro vehicle registration number EN60 BYB as a private hire wheelchair accessible vehicle to seat 8 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 14 February 2011. The applicant has provided service history showing vehicle was serviced on 5 January 2012 at 15668 miles. Further services were on 16 August 2012 at 30289 miles, 13 February 2013 at 46588 miles and 12 January 2014 at 76255.
- 4.3 The vehicle is submitted for consideration under the Council's Private Hire Vehicle Policy.
- 4.4 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 2.2) 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 2.2.3) In order to ensure that customers can hire taxis with the minimum delay and inconvenience, the policy may be relaxed to allow the licensing of wheelchair accessible hackney carriage or private hire vehicles up to three years old on application, provided that a full service history and safety certification, including a satisfactory conversion certification is provided with the application and the vehicle can satisfy the general licensing requirements. Applications of this type will normally be dealt with under the Scheme of Delegation to Officers.*

*(Policy 2.2.5) A relaxation of the policy will also be considered in exceptional circumstances for applications relating to the first licensing of private hire vehicles. The Council does not seek to limit or define a particular vehicle which is suitable but will adhere to the minimum standards for the size of seats and legroom etc. which are available on request. Irrespective of the age of the vehicle it must be capable of satisfying the general licensing conditions and be fit for purpose as a private hire vehicle in terms of passenger safety and comfort. Each application will be reported to the Licensing Sub-Committee for determination on its merits having regard to the following criteria:*

- (Policy 2.2.5) That the vehicle presented is in an exceptional condition in relation to its exterior and interior appearance with no evidence of defects, chips, marks or other evidence of unreasonable wear and tear or damage.*
- (Policy 2.2.5) That the vehicle presented offers an exceptional standard of safety and comfort for passengers in terms of features offered for example ABS, passenger airbags and ability to meet current requirements on emissions testing*
- (Policy 2.2.5) That the application includes evidence that the vehicle has been serviced at the intervals recommended by the manufacturer and at an approved garage. Other relevant documentations such as an MOT certificate should also be provided.*

*(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.”*

4.4.1 This case is referred to the Licensing Sub-Committee because the vehicle is over 3 years old.

## **5. Effect upon Policy Framework & Procedure Rules.**

5.1 None

## **6. Equality Impact Assessment.**

6.1 This vehicle is 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. The Applicant has purchased the vehicle and paid the application fee.

**8. Recommendation.**

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

**Andrew Jolley**  
**Assistant Chief Executive Legal and Regulatory Services**  
**5 November 2014**

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**Background documents**

Private Hire Vehicle Application  
Private Hire Policy Guidelines  
Vehicle Service History  
Certificate of Testing