

Meeting of:	LICENSING SUB-COMMITTEE (A)
Date of Meeting:	8 OCTOBER 2024
Report Title:	GRANT OF PRIVATE HIRE VEHICLE LICENCE
Report Owner / Corporate Director:	CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY
Responsible Officer:	KIRSTY EVANS LICENSING TEAM MANAGER
Policy Framework and Procedure Rules:	The report content has no direct effect upon the policy framework and procedure rules.
Executive Summary:	For the Licensing Sub-Committee to consider an application for the grant of a private hire vehicle licence for a vehicle which falls outside the Licensing Committee guidelines

1. Purpose of Report

- 1.1 The purpose of this report is to ask Members to determine an application for the grant of a private hire vehicle licence which falls outside of the Licensing Committee’s age policy guidelines. In addition, the vehicle documentation shows that the vehicle is outside the M1 Vehicles Type approval category.

2. Background

- 2.1 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 the Licensing Sub-Committee for determination because the application falls outside policy guidelines. This application is made under Section 46 of the Local Government (Miscellaneous Provisions) Act 1976.
- 2.2 “Subject to the provisions of this Part of this Act, a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied—
(a)that the vehicle is—

- (i)suitable in type, size and design for use as a private hire vehicle;
- (ii)not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;
- (iii)in a suitable mechanical condition;
- (iv)safe; and
- (v)comfortable;”

3. Current situation / proposal

3.1 The Council has received an application from Mr. Stephen Munro of The Moulders Aberkenfig, for the grant of a private hire vehicle licence.

3.1.1 Application details

Make:	Renault
Model:	Trafic LL29 Sport Energy DC1
Fuel Type:	Diesel
Date of First registration:	1 August 2018
In accordance with the age policy the vehicle should be:	Five years at first registration (The vehicle does not have a permanent automatic tail lift allowing consideration of the vehicle up to ten years old)
Age of vehicle at time of application:	Six years and one month at date of application
Colour:	Black
Mileage recorded at last MOT inspection:	MOT test undertaken 17 November 2023 with mileage shows as 109,532 miles
Registration No:	OU18 EGC
Passengers:	6
Type approval category:	Not specified on V5
Accessible Vehicle:	Wheelchair accessible via ramp. No tail lift fitted

3.1.2 The age policy guidelines adopted by the Licensing Committee on 17 November 2020 to take effect from February 2021 are as follows and are published on the Council’s website:

“AGE POLICY GUIDELINES

Vehicles submitted for licensing for the first time must be less than 5 years old from the date of first registration;

The only exception to the above is that Minibus type vehicles fitted with permanent automated tail lifts submitted for licensing for the first time must be less than 10 years old from the date of first registration;

Vehicles aged up to 10 years old at the time of application will be tested twice a year;

Vehicles aged over 10 years old at the time of application will be tested three times per year;

Fleet Services will issue an MOT Certificate and Declaration of Fitness Form covering the taxi and private hire vehicle elements which fall outside the MOT process;

Vehicles will be tested in accordance with the Freight Transport Association – National Inspection Standards for Hackney Carriage and Private Hire Vehicles.

If you fail to submit an application to renew a vehicle licence in time, provided a completed application is received within five days of the expiry date the requirement for a vehicle to be presented to Committee is waived.

Applications for converted or modified vehicles outside the M1 Vehicle Type approval category must be accompanied by a full-service history and appropriate safety certification including a Voluntary Individual Vehicle Approval (IVA) Certificate issued by the Driving and Vehicle Standards Agency (DVSA).

If you are in any doubt about whether a vehicle falls within policy guidelines please email us for advice before you make a financial commitment.”

- 3.2 As the vehicle falls outside the age policy guidelines by being over 5 years old and the vehicle falls outside the M1 category, the Committee is requested to determine the application.
- 3.3 The vehicle will be presented to Committee for inspection on the day of the hearing.
- 3.4 The application form is attached as Appendix A.
- 3.5 A set of photographs of the vehicle is attached at Appendix B.
- 3.6 The maintenance schedule provided by Mr Munro is attached at Appendix C.
- 3.7 The V5 registration document showing the omission of type approval is attached at Appendix D.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

6. Climate Change Implications

6.1 There are no climate change implications arising from this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding and corporate parent implications arising from this report.

8. Financial Implications

8.1 There are no financial implications arising from the report.

9. Recommendations

9.1 Having regard to the report, the Guidelines adopted by the Licensing Committee and any representations made by Mr. Munro, the Sub-Committee is requested to determine the application.

Background documents

None