

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

27 October 2015

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

APPLICATION TO LICENCE A PRIVATE HIRE VEHICLE

1. Purpose of Report.

- 1.1 To ask the sub-committee to consider the application to grant a licence for a wheelchair accessible private hire 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 Paul A. Brain, to licence a Silver Ford Tourneo registration number M6 PEY as a wheelchair accessible private hire vehicle to seat 8 persons. The date of first registration of the vehicle was 23 May 2007.
- 4.2 The vehicle was previously licensed with Bridgend County Borough Council from 2011 onwards. The licence expired on 15 September 2015.
- 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 2.1) 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 2.2.3) 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 2.2.4.)The licensee of any vehicle licensed under the Council's special policy for wheelchair accessible vehicles must ensure that the vehicle is wheelchair accessible at all times and carry such ramps etc that are necessary. The maximum seating capacity of the vehicle will be specified in the licence and must include provision for at least one wheelchair.

(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:

- 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.*
- 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.*
- 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.”

(Policy 2.5) Applicants are reminded that if they fail to make application to renew an existing licence before the expiry date any subsequent application must be treated as one of grant. Any relaxation of current policies will only be granted in very exceptional circumstances. The responsibility for making an application rests solely with the licence holder. All applications of this type will normally be reported to the Licensing Sub-Committee for determination.

- 4.4.1 This case is referred to the Licensing Sub-Committee as the vehicle falls outside the vehicle policy for the first licensing of a Private Hire Vehicle.

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.

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Background documents

Private Hire Vehicle Application Form
Private Hire Policy Guidelines
Vehicle Testing History