

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING SUB COMMITTEE

23 AUGUST 2016

REPORT OF THE CORPORATE DIRECTOR, OPERATIONAL AND PARTNERSHIP SERVICES

APPLICATION TO LICENCE PRIVATE HIRE VEHICLE

1. Purpose of Report.

- 1.1 To ask the sub-committee to consider an application to grant a licence for a 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. 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 Easyway Minibus Hire Ltd to licence a Mercedes Sprinter vehicle registration number EB09 WAY as a private hire vehicle to seat 8 persons.
- 4.2 The vehicle is pre-owned and was first registered at the DVLA on 24 April 2009.
- 4.3 This vehicle is wheelchair accessible and fitted with a tail lift. The application falls outside the Private Hire Vehicle age Policy approved by the Licensing Committee which enables officers to determine applications for wheelchair accessible vehicles which are under three years in age at the time of application.
- 4.4 There are additional policy guidelines in respect of the first licensing of private hire vehicles which fall outside policy guidelines, which are set out below. For Members' information, the vehicle is currently registered to Easyway Minibus Hire Ltd and has been tested as a Public Service Vehicle to seat 16 passengers.

The following documents have been supplied with the application which are attached at Appendix A:

- Certificate of Initial Fitness (COIF) issued in February 2012
- UK Registration Certificate (V5)

- Public Service Vehicle Test Certificate valid until June 5 2017 showing an odometer reading of 79336 miles
- Brake test result 4 May 2016
- LOLAR examination certificate dated 25 July 2016 in respect of tail lift fitted to vehicle
- Delivery inspection handover document dated 24 April 2009 at 244 miles
- Oil service plus documents commencing 17 November 2009 at 1500 miles until 18 July 2016 at 82657 miles stated to be maintenance work undertaken in addition to maintenance service.

The applicant has been advised that it will be necessary to obtain an updated V5 Registration Certificate to show this vehicle is constructed and adapted to seat 8 passengers to fall within the remit of local authority private hire vehicle licensing. The applicant will also be required to demonstrate that if seats have been removed or re-configured, this has been undertaken to a safe standard and all seats are anchored correctly. The applicant has indicated verbally that he wishes to wait for a decision before undertaking these requirements and if Members are minded to grant the application it is recommended that additional conditions are imposed in relating to the V5 certification and testing of the seating, anchorage and tracking.

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 2.2.3) 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.”

5. Effect upon Policy Framework & Procedure Rules.

5.1 None

6. Equality Impact Assessment.

6.1 This vehicle is intended 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.

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CORPORATE DIRECTOR, OPERATIONAL AND PARTNERSHIP SERVICES

Date 17 August 2016

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Background documents

Private Hire Vehicle Application and supporting documentation

Private Hire Vehicle Policy Guidelines