

**REGULATORY PANEL****26 NOVEMBER 2020**

<b>REPORT TITLE</b>	<b>APPLICATION TO LICENSE AN LTI TX4 AS A HACKNEY CARRIAGE VEHICLE</b>
<b>REPORT OF</b>	<b>DIRECTOR OF LAW AND GOVERNANCE</b>

**REPORT SUMMARY**

The purpose of this report is for Members to consider an application to license the following vehicle, namely an LTI TX4, registration number DK09 DCO, as a Hackney Carriage Vehicle.

**RECOMMENDATION/S**

That members consider whether or not to license the vehicle registration number DK09 DCO as a Hackney Carriage Vehicle.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is the delegated authority of this Panel to determine applications for Hackney Carriage Vehicle Licences where the vehicle cannot comply with the current criteria for licensing Hackney Carriage Vehicles.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 That consideration of the matter be delegated to officers.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The current criteria that a Hackney Carriage Vehicle must comply with before being granted a licence includes the following:

- (i) that every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
- (ii) that every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
- (iii) that every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
- (iv) that all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
- (v) that every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).

- 3.2 On 22 May 2013 Members of the Licensing Health and Safety and General Purposes Committee resolved that:

In circumstances when a Hackney Carriage Vehicle proprietor wishes to change a Hackney Carriage Vehicle that is currently licensed to a different vehicle, the replacement vehicle must be the same age or less than the vehicle that is currently licensed up to a maximum of ten years old. Vehicles that are ten years old or more must be replaced by a vehicle that is no more than ten years old and that this Policy is to have immediate effect.

The Licensing Panel be delegated with the authority to act outside this policy.

- 3.3 In accordance with the resolution in paragraph 3.2 Members are asked to consider the application submitted by the applicant, Mr Vose, to change the vehicle that is currently licensed as a Hackney Carriage Vehicle, registration number SK03 BWD which is 17 years old, to the vehicle registration number DK09 DCO which is 11½ years old.

- 3.4 The current vehicle is licensed until 25 December 2020.
- 3.5 Members are asked to consider the application and determine if there is good reason to act outside of the current policy and license the vehicle, registration number DK09 DCO as a Hackney Carriage Vehicle.
- 3.6 Mr Vose is the proprietor of four licensed Hackney Carriage Vehicles and two licensed Private Hire Vehicles.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no specific implications arising from this report.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 A district council may require any Hackney Carriage licensed by them under the Town Police Clauses Act 1847 to be of such design or appearance or bear any such distinguishing marks as shall clearly identify it as a Hackney Carriage.
- 5.2 A district council may attach to the grant of licence of a Hackney Carriage such conditions as the district council consider reasonably necessary.
- 5.3 A decision of this Panel can be subject to legal challenge.

#### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

- 6.1 There are no specific implications arising from this report.

#### **7.0 RELEVANT RISKS**

- 7.1 There are safety implications arising out of this report due to the safety aspects of hackney carriage vehicles.

#### **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 This is not a matter that requires consultation.

#### **9.0 EQUALITY IMPLICATIONS**

- 9.1 There are no specific implications arising from this report.

#### **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 Diesel-fuelled vehicles are major sources of harmful pollutants, such as ground-level ozone and particulate matter, often in the form of black smoke, along with a number of other chemical compounds such as volatile organic compounds, hydrocarbons, carbon monoxide, ozone, lead, and various oxides of nitrogen.

**REPORT AUTHOR:** Margaret Calvert  
Licensing Team Leader  
telephone: 0151 691 8476  
email: [margaretcavert@wirral.gov.uk](mailto:margaretcavert@wirral.gov.uk)