

REGULATORY PANEL**3 NOVEMBER 2021**

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

REPORT SUMMARY

The purpose of this report is for the Regulatory Panel to consider an application to license the following vehicle, namely an LTI TX4, registration number D18 SMC, as a Hackney Carriage Vehicle.

RECOMMENDATION/S

That the Regulatory Panel consider whether or not to license the vehicle registration number D18 SMC 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 the application to license the LTI TX4, registration number D18 SMC, be refused as the vehicle does not comply with the current criteria for licensing Hackney Carriage Vehicles, in that it is more than three years old.

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 The proprietor of the vehicle, Shaun Marnell Ltd, has applied to license the vehicle for twelve months.
- 3.3 The vehicle had been licensed as a Hackney Carriage Vehicle from 1 October 2015 until 30 September 2021 when the licence expired.
- 3.4 The date of first registration of the vehicle is 1 September 2015 and the vehicle is six years old. It therefore does not meet the criteria that every vehicle must be three years old or less.
- 3.5 The vehicle has been examined at one of the Council's authorised testing stations and the pass certificates will be provided in advance of the meeting.
- 3.6 The vehicle will be available for inspection at the meeting.

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.

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BACKGROUND PAPERS

MOT certificate
Compliance pass certificate
Hackney Carriage Vehicle Licence Criteria