

REGULATORY PANEL**25 NOVEMBER 2022**

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE APPLICATION
REPORT OF	HEAD OF LEGAL SERVICES - INTERIM MONITORING OFFICER

REPORT SUMMARY

The purpose of this report is for the Regulatory Panel to consider an application to license a Ford Transit, registration number BV66 KDF, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

RECOMMENDATION/S

That the Regulatory Panel consider whether to license the Ford Transit, registration number BV66 KDF, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to approve vehicles that can be licensed as Private Hire Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the application to license the Ford Transit, registration number BV66 KDF, be refused as the vehicle does not comply with the current criteria for licensing Private Hire Vehicles in that the side and rear windows do not let at least 70% of light through.

3.0 BACKGROUND INFORMATION

- 3.1 In September 2017 Members of the Licensing Health and Safety and General Purposes Committee approved criteria for licensing Private Hire Vehicles.

- 3.2 Paragraph 36 of the criteria states that:

The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

- 3.3 The date of first registration of the vehicle is 2 September 2016 and it is therefore six years old.
- 3.4 If a licence is granted, the vehicle will be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments.
- 3.5 The vehicle will be examined at one of the Council's authorised testing stations if the Panel determine that it may be licensed as a Private Hire Vehicle.
- 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 Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 provides that a district council shall not grant a licence unless it is satisfied that the vehicle is:

- Suitable in type, size and design for use as a Private Hire Vehicle
- Not of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- In a suitable mechanical condition
- Safe and Comfortable
- That there is in force in relation to the use of the vehicle a policy of insurance

- 5.2 A decision of this Panel can be subject to appeal.

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 as the Panel must be satisfied that the vehicle is safe to be licensed as a Private Hire Vehicle. The vehicle will be examined at one of the Council's authorised testing stations and must pass the MOT and Compliance tests before being issued a licence.

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 Petrol and diesel vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (Source: European Environment Agency report 2018)

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from the content of this report.

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APPENDICES

None

BACKGROUND PAPERS

Application Form
Private Hire Vehicle Criteria
European Environment Agency Report 2018
Local Government (Miscellaneous Provisions) Act 1976

TERMS OF REFERENCE

This report is being considered by the Regulatory Panel who are delegated to determine such matters in accordance with Section 8.4 of the Regulatory and General Purposes Committee's Terms of Reference referred to in Part 3, Section B of the Council's constitution.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date