



REGULATORY PANEL

19 MAY 2023

REPORT TITLE	HACKNEY CARRIAGE VEHICLE LICENCE REQUEST
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is for the Regulatory Panel to consider a request to license a Peugeot E7, registration number SJ56 MDU, as a Hackney Carriage Vehicle outside of the current age policy for licensing Hackney Carriage Vehicles.

RECOMMENDATION/S

The Regulatory Panel is recommended to determine whether to license the Peugeot E7, registration number SJ56 MDU, as a Hackney Carriage Vehicle.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to determine requests for Hackney Carriage Vehicle Licences where the vehicle is over three years old.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the request to license the Peugeot E7, registration number SJ56 MDU, be refused as the vehicle does not comply with the current criteria for licensing Hackney Carriage Vehicles, in that it is more than 3 years old from the date of manufacture or the date of first registration whichever is the earlier.

3.0 BACKGROUND INFORMATION

- 3.1 The current criteria that vehicles must comply with before being granted a Hackney Carriage Vehicle Licence includes the following:
1. Vehicles must be under 3 years of age from the date of manufacture or date of first registration, whichever is the earliest.
 2. Once a vehicle reaches 10 years of age it will be required to be tested every six months and a six monthly licence will be issued.
- 3.2 The proprietor of the vehicle, Mr Johnson has requested to license the vehicle.
- 3.3 The vehicle was first licensed as a Hackney Carriage Vehicle on 15 September 2008. The most recent licence expired on 31 March 2023.
- 3.4 Mr Johnson was unable to renew the Hackney Carriage Vehicle Licence as he was unable to have repairs completed on the vehicle and have the vehicle subsequently tested in advance of the licence expiring.
- 3.5 The vehicle has since been tested at one of the Council's authorised testing stations and the MOT and Compliance pass certificates will be provided in advance of the meeting.
- 3.6 The date of first registration of the vehicle is 2 October 2006.
- 3.7 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 47 of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

- A district council may attach to the grant of a licence of a hackney carriage under the Town Police Clauses Act of 1847 such conditions as the district council may consider reasonably necessary.
- Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Town Police Clauses Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.

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 Hackney Carriage Vehicle. The vehicle has been examined at one of the Council's authorised testing stations and has passed the MOT and Compliance tests.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 The current criteria for licensing Hackney Carriage Vehicles includes a requirement for the vehicle to be purpose built and built to accommodate disabled passengers in wheelchairs within the rear passenger compartment.

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

MOT certificate

Compliance pass certificate

Statement of Hackney Carriage and Private Hire Licensing Policy

European Environment Agency Report 2018

Local Government (Miscellaneous Provisions) Act 1976

Town Police Clauses Act 1847

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