



LICENSING PANEL

13 SEPTEMBER 2024

REPORT TITLE	PRIVATE HIRE VEHICLE LICENCE
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider a request to amend a condition attached to a current Private Hire Vehicle Licence namely a Ford C-Max, registration number LX18 SZV to increase the number of passengers permitted to be carried in the vehicle from four to six.

RECOMMENDATION/S

That the Regulatory Panel consider whether to grant a request to amend a condition attached to a current Private hire vehicle Licence namely a Ford C-Max, registration number LX18 SZV to increase the number of passengers permitted to be carried in the vehicle from four to six.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to determine applications for Private Hire Vehicle Licences in circumstances where an officer does not have such delegated powers.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the request to license a Ford C-Max, registration number LX18 SZV for six passengers be determined by an Officer in accordance with the criteria for licensing Private Hire Vehicles within the Council's Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

3.0 BACKGROUND INFORMATION

- 3.1 The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence includes the following:
- The vehicle must be fitted (in addition to the front drivers and passengers doors) with at least two side/rear opening doors and all doors must be easily accessible to all passengers and capable of being opened from inside.
- 3.2 In accordance with the criteria referred to in paragraph 3.1 the vehicle was issued with a Private Hire Vehicle Licence to carry four passengers on 12 August 2024.
- 3.3 The proprietor of the vehicle, Mr Parker, has requested that the vehicle be licensed for six passengers so that he can carry out school contract work.
- 3.4 The V5 Logbook for the vehicle states that the number of seats within the vehicle is seven.
- 3.5 The date of first registration of this vehicle is 30 June 2019.
- 3.6 The vehicle has been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates will be provided in advance of the meeting.
- 3.7 The vehicle will be available for inspection at the meeting.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising directly 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 Section 48 (7) of The Local Government (Miscellaneous Provisions) Act 1976 states that any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a magistrates' court.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

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

7.0 RELEVANT RISKS

7.1 There are safety implications arising out of this report as the Licensing Panel must be satisfied that the vehicle is safe, suitable and comfortable to be licensed as a Private Hire Vehicle for six passengers.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 The Licensing Panel must have regard to the Equality Act 2010 and in particular the Public Sector Equality Duty under Section 149 of the Equality Act 2010 when determining the matter.

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

MOT and Compliance Certificates

Records and Information held by the Licensing Authority

Statement of Hackney Carriage and Private Hire Licensing Policy

Local Government (Miscellaneous Provisions) Act 1976

Equality Act 2010

European Environment Agency Report 2018

TERMS OF REFERENCE

This report is being considered by the Licensing Panel who are delegated to determine such matters in accordance with Section 8.4 of the Licensing 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