



LICENSING PANEL

13 DECEMBER 2024

REPORT TITLE	HACKNEY CARRIAGE 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 Hackney Carriage Vehicle Licence namely a Vauxhall Vivaro, registration number DX68 WKD to increase the number of passengers permitted to be carried in the vehicle from seven to eight.

RECOMMENDATION/S

That the Regulatory Panel consider whether to grant a request to amend a condition attached to a current Hackney Carriage Vehicle Licence namely a Vauxhall Vivaro, registration number DX68 WKD to increase the number of passengers permitted to be carried in the vehicle from seven to eight.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to determine requests to amend the conditions for Hackney Carriage 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 the Vauxhall Vivaro, registration number DX68 WKD for eight passengers be determined by an Officer in accordance with the resolution of the Licensing Panel on 11 January 2019 which would result in the request being refused.

3.0 BACKGROUND INFORMATION

- 3.1 On 11 January 2019, a report was presented to the Licensing Panel to request that a Vauxhall Vivaro be approved as a Hackney Carriage Vehicle. Members determined that the Vauxhall Vivaro be approved to be licensed as a Hackney Carriage Vehicle to carry seven passengers and that the vehicle only be licensed to carry one front seat passenger.
- 3.2 In accordance with the decision referred to in paragraph 3.1 of this report the vehicle was first issued with a Hackney Carriage Vehicle Licence on 1 February 2019 to carry seven passengers which limits the number of front seat passengers to one.
- 3.3 The proprietor of the vehicle, Mr Connolly, has requested that the vehicle be licensed for eight passengers.
- 3.4 The V5 Logbook for the vehicle states that the number of seats within the vehicle is nine.
- 3.5 The date of first registration of this vehicle is 31 December 2018.
- 3.6 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 47 (1) of the Local Government Miscellaneous (Provisions) Act 1976 states 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.
- 5.2 Section 47 (3) of the above Act states that any person aggrieved by any conditions attached to 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 Hackney Carriage Vehicle for eight 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

Hackney Carriage Vehicle Licence
Statement of Hackney Carriage and Private Hire Licensing Policy
Town Police Clauses Act 1847
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