

LICENSING PANEL**10 JANUARY 2025**

REPORT TITLE	HACKNEY CARRIAGE VEHICLE LICENCE APPLICATION
REPORT OF	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider an application to license a Peugeot Expert E7, registration number SJ56 MDU as a Hackney Carriage Vehicle outside of the current criteria for licensing Hackney Carriage Vehicles which states that a vehicle presented for the grant of a Hackney Carriage Vehicle Licence must have been compliant with Euro 5 emission standards at the date of first registration.

RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Peugeot Expert E7, registration number SJ56 MDU, as a Hackney Carriage Vehicle, outside of the current criteria for licensing Hackney Carriage Vehicles which states that a vehicle presented for the grant of a Hackney Carriage Vehicle Licence must have been compliant with Euro 5 emission standards at the date of first registration.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 The Licensing Authority have received an application to license a Peugeot Expert E7, registration number SJ56 MDU, outside of the current criteria for licensing Hackney Carriage Vehicles. It is a delegated function of the Licensing Panel to determine whether to license a vehicle as a Hackney Carriage Vehicle when it does not comply with the current criteria for licensing Hackney Carriage Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That the application to license a Peugeot Expert E7, registration number, SJ56 MDU be determined by an Officer in accordance with the current criteria for licensing Hackney Carriage 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 proprietor of the Peugeot Expert E7, registration SJ56 MDU, Colin Johnson has applied to license the vehicle as a Hackney Carriage Vehicle.
- 3.2 The vehicle was previously licensed as a Hackney Carriage Vehicle from 15 September 2008 until 31 March 2023 when the licence expired.
- 3.3 On 14 June 2024 Mr Johnson attended the Licensing Panel in respect of an application for the grant of a Hackney Carriage Vehicle Licence for this vehicle as at that time the vehicle did not comply with the criteria for licensing Hackney Carriage Vehicles. The application was considered by Members of the Licensing Panel who resolved that the licence be granted for a period of 6 months. The issuing of the licence was subject to internal improvements being completed to the satisfaction of a Licensing Officer. It was also resolved that any further application to renew the licence must be determined by the Licensing Panel.
- 3.4 The vehicle was subsequently licensed from 17 June 2024 to 16 December 2024 when the licence expired.
- 3.5 The date of first registration of the vehicle is 2 October 2006. The vehicle is therefore 18 years old and does not comply with the requirement that the vehicle must have been compliant with Euro 5 emission standards at the date of first registration.
- 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 47 of The Local Government (Miscellaneous Provisions) Act 1976 states:

Licensing of Hackney Carriages.

(1) A district council may attach to the grant of a licence of a hackney carriage under the Town Police Clauses Act 1847 such conditions as the district council may consider reasonably necessary.

(2) Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.

(3) 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 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. 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 Licensing Panel must have regard to their Public Sector Equality Duty when considering the application.

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 pass certificate
Compliance Test pass certificate
Statement of Hackney Carriage and Private Hire Licensing Policy
European Environment Agency Report 2018
Town Police Clauses Act 1847
Local Government (Miscellaneous Provisions) Act 1976
Equality Act 2010

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
Licensing Panel	14 June 2024