

REGULATORY & APPEALS COMMITTEE

CHAIRMAN: Cllr Dennis

DATE: 3rd May 2018
REPORT OF: Licensing Officer
SUBJECT: Request for private hire vehicle licence and small plate

PART I

RECOMMENDATION

The Regulatory & Appeals Committee is recommended to resolve whether to grant or refuse these requests.

1. PURPOSE

The Committee is asked to consider a request to grant a Private Hire vehicle licence for a vehicle that is over 5 years old and if granted approval of a small plate.

2. BACKGROUND

Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that 'A vehicle being presented for initial licensing is required to be under 5 years old at first registration.

All vehicle licences are issued annually and Section 43 of the Town Police Clauses Act 1847 provides that a hackney carriage licence and Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 provides that a private hire licence may only be in force for a maximum of 1 year.

The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use.

The Council's requirement for the display of licence plates on the rear of licensed vehicles is set out in the Hackney Carriage and Private Hire Licensing Policy, at paragraph 9.4 on page 27.

9.4 Licence Plates

The licensing plate identifying the vehicle as Hackney Carriage or Private Hire shall be securely fixed to the outside rear of the vehicle in a position as approved by the

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Council whilst the vehicle is being used for hire purposes and shall be kept fully visible and legible at all times.

A vehicle identification badge shall be fixed to the front windscreen above or below the tax disc, in a position that meets current MOT regulations. The badge will display the plate number, vehicle model, registration and number of passengers on the front face with the Council's details and plate number on the rear.'

3. REQUEST

The vehicle GJ12 VPE Jaguar XJ the applicant wishes the Committee to consider was first registered on March 2012 and will be 6 years and 1 month old, if granted, therefore does not meet the Councils Policy of being under 5 years old. The applicant wishes to increase the use of the vehicle from solely weddings to executive transfers and proms.

The applicant requested replacement of the traditional size plate with the smaller plate. The reason for the request is because the vehicle is to be mainly used in connection with weddings and executive transfers.

It has been requested that the vehicle is available for viewing at the hearing, should the committee wish to do so.

Small plates have previously been granted for specialist vehicles, Chrysler, Mercedes, Audi TDI, stretch Limousine and two BMW's because they were going to mainly be used for weddings and special occasions and the removal of a plate from a licensed vehicle is not permitted at any time.

4. CONSULTATION

The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009 after taking into account the views from the trade was as follows:

"The Committee decided that vehicles being presented for initial licensing must be under five years old."

5. IMPLICATIONS

The main implication is that the plate is a visual aid for the members of the public to show that it is a licensed vehicle. The standard size plate is 240mm x 180mm and the smaller plate requested is 230mm x 75mm, samples of which will be shown at committee.

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates' Court.

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6. OPTIONS

1. Grant the licence application with approval of a small plate.
2. Grant the licence application with a standard plate
3. Refuse the application

Hayley Carpenter
Licensing Officer
Environment, Health and Wellbeing

Wards affected	All
Contact for any more information	H Carpenter
Background Papers (For Part I reports only)	<i>Relevant legislation and Hackney Carriage and Private Hire Regulations</i> Hackney Carriage and Private Hire Licensing Policy
Key Decision	N
In Forward Plan	N
In O&S Work Programme	N
Community Impact Assessment attached:	N
Appendices attached:	N