

HACKNEY CARRIAGE VEHICLE LICENSING DEVIATION BY JULIUS GUDAS FROM VEHICLE LICENCE CONDITION NUMBER 3.3.

**REPORT BY: Head of Environmental Health and
Trading Standards**

Purpose

1. The report introduces an application made by Mr Gudas to deviate from the standard condition number 3.3. This condition states: -

The proposed new vehicle must comply with the following:-

- a) A wheel chair access vehicle cannot at any time be replaced with a non wheel chair access vehicle. A saloon may be replaced with a saloon or upgraded to a wheel chair access vehicle.

Legal Background

2. Under the terms of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 local authorities may make reasonable conditions for the regulation of both hackney carriages and private hire vehicles, drivers and operators.
3. The standard licence conditions were approved at Regulatory Committee on the 18th December 2007.

Issues

4. The Licensing Authority currently licence a Toyota Hi-Ace on plate number H239. This vehicle is a wheelchair accessible vehicle.
5. Mr Gudas has made an application to change this vehicle from a wheelchair accessible vehicle to a non-wheelchair accessible vehicle.
6. Mr Gudas has not decided yet what type of vehicle this will be transferred to.
7. The Committee may re-call that Mr Gudas appeared before their meeting on 17 June 2008 when he applied for this vehicle to be licensed outside the standard condition as the plate had expired by 4 days. On that occasion the Committee granted the licence.
8. In light of this application the licence has not been issued, but instead referred to this Regulatory Committee for consideration and determination.

Options

It is for the Regulatory Committee to decide whether the application: -

- Can be granted outside of the standard conditions and or policy.
- Cannot be granted
- Deferred decision in order to get more information.
- or reach some other decision.

Appendix 1 (Background Papers) – standard vehicle licence conditions

Appendix 2 (Background Papers) – copy of application form