

## **HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING DEVIATION BY DIANA KAY KINSEY FROM VEHICLE LICENCE CONDITION NUMBER 2.1**

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

### **Purpose**

1. The report introduces an application made by Mrs Kinsey to deviate from the standard condition number 2.1 (for a new application for a private hire vehicle licence, the vehicle shall not be more than two years old, the age of the vehicle will be determined by the date of first registration on the registration document).

### **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 20<sup>th</sup> March 2007 following a full consultation period.

### **Issues**

4. Mrs Kinsey made an application for a new vehicle licence on the 15<sup>th</sup> November 2007 (Appendix 1). The application contains a request for a vehicle which does not comply fully with the standard conditions and policy of Herefordshire Council. The mini bus vehicle was two years old on 27<sup>th</sup> July 2007.
5. In light of this application the licence has not been issued, instead referred to this Regulatory Committee for consideration and determination whether to grant a licence outside the standard conditions.

### **Officers Comments**

The applicant is applying for this licence as a result of a change in legislation and has been fully cooperative. DK Travel is an established local business, which provides a transfer service to Airports as an additional service to their Travel Agent activities. All other necessary applications have been made.

### **Options**

It is for the Regulatory Committee to decide whether the vehicle licence: -

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