

NEW APPLICATIONS FOR TWO (2) HACKNEY CARRIAGE VEHICLE LICENCES OUTSIDE STANDARD CONDITION 1.1 BY KENNETH JOHN WHEADON

REPORT BY: Head of Environmental Health and Trading Standards

Purpose

1. The report introduces two applications made by Mr Wheadon to deviate from the standard condition number 1.1. This condition states: -

For a new application for a Hackney Carriage Licence, **the vehicle to be licensed shall be a purpose built Hackney Carriage, or constructed or adapted to carry disabled persons** whilst remaining in their wheelchairs, in accordance with the provisions set out in section 20 of these conditions. The vehicle will be 5 years of age or younger, the age of the vehicle will be determined by the date of first registration on the registration document. The licensed vehicle shall be replaced upon or before reaching fifteen years of age.

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. This Authority previously licensed the two vehicles and their plates expired on 2nd & 9th March 2008.
5. Mr Wheadon made an application for a renewal of both vehicles on 13.3.08 after the licence had expired.
6. Condition 9.5 states 'All applications received after the date of expiry will be treated as Grants and not renewals and the appropriate conditions and fees will apply'.

Matter for Committee

7. In light of this the licence has not been issued but instead referred to this Regulatory Committee for consideration and determination whether a new plate should be issued.

Options

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

- **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.**

Appendix 1 – standard vehicle licence conditions

Appendix 2 – copy of application forms