

HACKNEY CARRIAGE VEHICLE LICENSING DEVIATION BY CHRISTOPHER JOHN PANNIERS FROM VEHICLE LICENCE CONDITION NUMBER 3.2.

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

Purpose

1. The report introduces an application made by Mr Panniers to deviate from the standard condition number 3.2. This condition states: -

The proposed new vehicle must comply with the following:-

- b) The replacement vehicle shall be no more than 2 years older than the outgoing vehicle, and have at least 30,000 less miles on the clock. All vehicles must be replaced at 8 years for non wheel chair and 15 years for wheel chair access vehicles.

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 current standard licence conditions were approved at Regulatory Committee on the 18th December 2007. See Appendix 1.

Issues

4. The Licensing Authority currently licence a Ford Focus on plate number H239, registration number "CN04 GSZ". This vehicle currently has 131,800 miles on the clock and evidence has been provided to support this.
5. This vehicle was involved in a road traffic accident and the vehicle has subsequently been written off.
6. Mr Panniers has made application to replace this vehicle with a Toyota Avensis registration "YM04 XNW" with a mileage of 104,755 (this has not been confirmed by the Licensing Authority and no evidence has been produced). See Appendix 2 for the application form.
7. Although the vehicle meets the Council's licence conditions in relation to the age of the proposed replacement, the difference in the mileage between the Ford Focus and the Toyota Avensis is about 27,000, which falls below the 30,000 required by the conditions.
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 – standard vehicle licence conditions

Appendix 2 – copy of application form