

**7 HACKNEY CARRIAGE AND PRIVATE HIRE -
REQUEST FROM MR WILTSHIRE TO DEVIATE FROM
STANDARD CONDITION 3.1 (AGE OF VEHICLE).
TOWN POLICE CLAUSES ACT LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1976**

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

Purpose

1. The report is to assist the Regulatory Committee consider a request from Mr Wiltshire to allow his vehicle not to be replaced on reaching 8 years of age contrary to condition number 3.1 in the vehicle licence conditions (Appendix 1).

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 vehicle conditions were bought before Regulatory Committee on the 14/12/05.

Issues

4. Mr Wiltshire made an e-mail request to allow his vehicle currently on Hackney Plate H405 to be allowed to remain licensed past the 8 year of age restriction. The Licensing Officer refused the request by e-mail.
5. The license was renewed on 5/9/05 and Mr Wiltshire wrote assuming he had been given permission to use the vehicle past 8 years (Appendix 2). The Licensing Officer responded on 31/10/05 (Appendix 3). Mr Wiltshire responded on 7/11/05 (Appendix 4). Following discussions with Licensing Manager it was decided to refer the matter to Regulatory.
6. In light of this request the matter is referred to this Regulatory Committee for consideration and determination whether the vehicle can remain licensed.
7. The vehicle is a petrol saloon vehicle and on its last compliance test the recorded mileage was 165,815. The test is carried out annually.
8. The vehicle has been on plate H405 since 6/9/02
9. The date of first registration is the 1/1/98, therefore, the vehicle is past 8 years of age and would ordinarily be replaced on 1/1/06. Dispensation has been given allowing the vehicle to continue to be used pending the Regulatory Committee decision.

Options

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

- Vehicle can be used past 8 years of age.
- Vehicle cannot be used past 8 years of age.
- Vehicle can be used with additional compliance tests, cost of which to be met by applicant
- or reach some other decision.