

REPORT TO LICENSING (SUB) COMMITTEE

Time and Date of Hearing: 23 JUNE 2017 PART 1 Matter

Report of: Environmental Health and Licensing Manager

Type of Application: RENEWAL of a licence relating to a Private Hire vehicle over 8 years old.

Legislation: Local Government (Miscellaneous Provisions) Act 1976

Town Police Clauses Act 1847

Ward Application Refers to:

Not Applicable

Applicant: Mr N Bibby

Premises Address: Not Applicable

1. What is the report about?

- 1.1 An application has been received from Mr Nick BIBBY, a licensed taxi driver seeking permission for the renewal of a private hire vehicle licence for a vehicle which is over 8 years old at the renewal date. This is a matter that cannot be dealt with under delegated powers.

2. Are there any representations?

- 2.1 There is no provision in the legislation for anyone to submit representations relating to this kind of application.

3. Report details:

- 3.1 The vehicle is a Volkswagen Transporter registration number SH56 FOC. The has been licensed as a private hire vehicle since September 2010, the date of the vehicle's registration is 6 November 2006 making the vehicle over 10 years old at the renewal date and therefore cannot be dealt with under delegated powers. The existing policy in place regarding the renewal of private hire vehicles over 10 years old can be found at Appendix M Private Hire Licensing – Vehicle Specifications, M4, extracted from (*Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators*) November 2016. Exeter City Council.
I would draw your attention to the following extract from the policy.

'Vehicles presented for renewal that are more 10 years old, shall not be granted. However the applicant will be given the right to apply for the application to be considered by a licensing sub-committee if they feel that their particular circumstances justify a deviation from the existing Policies'.

- 3.2 The recorded mileage of the vehicle at the time of the last MOT (5 May 2017) was 118907 miles. The MOT is attached as a supporting document. The vehicle was inspected by an independent vehicle inspector on 2 June 2017 and the report is attached as a supporting document. There were advisories on the report and the applicant has submitted an invoice for the repairs. This is attached as a supporting document. The vehicle was inspected by a Licensing Officer on 15 June 2017 and the vehicle appeared to be in a very good condition. Photographs are attached of the bodywork and the interior of the vehicle as supporting documents.

4. What are the legal aspects?

- 4.1 The Licensing Sub-Committee are required only to ensure that Public safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

5. Recommendations:

- 5.1 The Licensing Sub-Committee are asked to determine the application having regard to current policy.

Environmental Health and Licensing Manager

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:

Democratic Services (Committees)

Room 2.3

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N.B THIS IS NOT PART OF THE REPORT

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE / DRIVERS LICENCES

You are invited to appear before the Licensing Sub-Committee to speak in support of your application. A legal or other adviser may accompany you but may not appear instead of you.

Your Application

Depending on the circumstances, your application may be heard in part two of the Committee meeting procedures from which members of the public and press are excluded. You will be notified in advance if your application will be a part two matter, if you have not been advised of this, the hearing will be in the Public domain.

You or your adviser would be expected to respond to an officer's verbal introduction outlining the above report. You or your adviser may be asked questions and may be invited to ask questions if appropriate.

At the end of the hearing you will be asked to withdraw and the Committee will reach a decision. On conclusion of the decision making process you will then be recalled and the decision announced.









