

REPORT TO LICENSING SUB COMMITTEE

Date of Hearing:	17 July 2025
Report of:	Nigel J Marston – Principal Licensing Officer
Decision Required:	RENEWAL of a licence relating to a Private Hire vehicle over 9 years old.
Legislation:	Local Government (Miscellaneous Provisions) Act 1976
Applicant:	

1. What is the report about?

- 1.1 An application is attached at Appendix A that has been received from the Applicant, a licensed private hire operator and driver seeking permission for the renewal of a private hire vehicle licence for a vehicle which is over 10 years old. The vehicle turned 10 years old on the 17 April 2025. This is a matter that cannot be dealt with under the delegated powers.

2. Background:

- 2.1 The vehicle that is being presented for licensing as a private hire vehicle is a 6 passenger, Volkswagen Caravelle, registration number [REDACTED], with a date of first registration of 17 April 2015. A copy of the vehicle registration document is attached within Appendix D.

3. Report Details:

- 3.1 The vehicle has a current MOT certificate dated 18 March 2025 and expires 12 April 2026. The mileage recorded at the MOT inspection was 139,255 miles. The MOT certificate is attached as Appendix C and vehicle insurance is attached as Appendix B. In addition to the MOT certificate there is an independent mechanical inspection report, which has been submitted, this is dated 18 April 2025 and is attached as Appendix E. Photos for the vehicle are attached at Appendix F. Upon inspection by a Council Officer the vehicle was found to be in excellent condition for the age. The vehicle was first plated by Exeter City Council on 17 April 2015 and has been continuously licensed since that date.
- 3.2 The Licensing Sub-Committee must have regard to the Council's Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators and the Code of Conduct for Licensed Drivers ('Taxi Policy').
- 3.3 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.

4. What are the legal aspects?

- 4.1 Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976 ('the Act') states that a district council may on receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied-

a) that the vehicle is-

- i) suitable in type, size and design for use as a private hire vehicle;
- ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;
- iii) in a suitable mechanical condition;
- iv) safe; and
- v) comfortable;

b) that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988, and shall not refuse such a licence for the purpose of limiting the number of vehicles in respect of which such licence are granted by the council.

- 4.2 Under Section 48(4)(c) of the Act the Licensing Sub-Committee may grant a licence for a maximum period of 12 months.
- 4.3 Any person aggrieved by a refusal of the Licensing Sub-Committee to grant a vehicle licence under Section 48 of the Act may appeal to the Magistrates Court within 21 days of receiving written notice of the refusal.

5. Recommendations:

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

Service Lead – Environmental Health & Community Safety

Author: Nigel J Marston – Licensing Officer

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

Background papers used in compiling this report:-
None

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