

<b>REPORT TO</b>	<b>DATE OF MEETING</b>
<b>GENERAL LICENSING COMMITTEE</b>	<b>25<sup>th</sup> NOVEMBER 2014</b>

Report template revised June 2008



<b>SUBJECT</b>	<b>PORTFOLIO</b>	<b>AUTHOR</b>	<b>ITEM</b>
<b>REQUEST FOR AN EXEMPTION FROM THE COUNCIL'S AGE POLICY IN RESPECT OF A PRIVATE HIRE VEHICLE</b>	<b>REGENERATION, LEISURE AND HEALTHY COMMUNITIES</b>	<b>NIKY BARRETT</b>	<b>5</b>

## **SUMMARY AND LINK TO CORPORATE PRIORITIES**

A report on a request for the Council to depart from its published age policy and license a wheelchair accessible private hire vehicle which falls outside the Council's policy on age limits.

## **RECOMMENDATIONS**

The Committee is requested to determine whether it wishes to depart from its policy and license a Vauxhall Movano, assuming that it meets all the Council's other criteria, which was first registered, 6 years and 4 months ago.

## **DETAILS AND REASONING**

Mr and Mrs Wallbank hold Private Hire Operators Licence PHO098 and trade as Andrew Wallbanks Ltd. The business primarily is one of contract hire, with many of the contracts being for the transportation of disabled school children on behalf of Lancashire County Council.

Vehicle registration VX08 ADD, was first registered in the United Kingdom on 30<sup>th</sup> July 2008. Whilst the vehicle is over 6 years old, it only has approximately 20,000 mile on the clock.

In accordance with the Council's Policy on vehicle age limits (Appendix A) this vehicle would be too old to be licensed as a new Private Hire Vehicle; however, in accordance with subsection b) of this Policy, Mr Wallbank has requested Committee consider departing from this policy, given the very low recorded mileage on the vehicle.

Mr Wallbank has been asked to make the vehicle available for the Committee's inspection.

Members may wish to take into consideration the condition and safety features of the vehicle, whether any specific contracts of work would be dependent upon the use of the vehicle and whether any other exceptional factors contribute to the licensing of the vehicle.

## **WIDER IMPLICATIONS**

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas shown below. A risk assessment has also been carried out. The table shows the implications in respect of each of these.

<b>FINANCIAL</b>	None
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<b>LEGAL</b>	<p>Under the provisions of section 48 of the Local Government (Miscellaneous Provisions) act 1976, a Council shall not grant a private hire vehicle licence, unless they are satisfied that the vehicle is: suitable in type, size and design for use as a private hire vehicle; not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage; in a suitable mechanical condition, and, comfortable.</p> <p>Any party at the hearing has a right of appeal to the Magistrates' Court.</p>
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<b>RISK</b>	<p>The Committee should be aware of the need to protect the public. On the other hand Committee should also be aware of the applicant's right of appeal to the Magistrates' Court should it be decided to refuse the licence.</p>
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<b>THE IMPACT ON EQUALITY</b>	None
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<b>OTHER (see below)</b>	
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<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

**BACKGROUND DOCUMENTS**

- Appendix 1 – Council Policy extract in relation to Vehicle Age Limits.