

REPORT TO	DATE OF MEETING
GENERAL LICENSING COMMITTEE	14th June 2016

2Report template revised June 2008



SUBJECT	PORTFOLIO	AUTHOR	ITEM
APPLICATION TO RELICENSE A PRIVATE HIRE VEHICLE WHICH WILL BE OF AN AGE THAT FALLS OUTSIDE THE COUNCILS POLICY ON AGE LIMITS	REGENERATION AND LEISURE	Charles Goodwill	4

SUMMARY AND LINK TO CORPORATE PRIORITIES

A report on an application to licence a Lincoln Towncar Sedan registration number N60 WOW which does not comply with the Council's published age policy.

RECOMMENDATIONS

The Committee is requested to determine whether it wishes to depart from its policy and grant a Private Hire Vehicle licence.

DETAILS AND REASONING

Mr Phil Hayes of 3 Westwood Road Leyland PR25 3NS wishes to extend the lifetime of the Private Hire Vehicle Licence for his Lincoln Towncar Sedan N60 WOW from the date the present Licence expired on the 1st May 2016.

This vehicle is now over 18 years old. Mr Hayes made his application for relicensing this vehicle on the 28th April 2016. When this application was being processed the checks on the age of the vehicle as per the V5 document showed this vehicle as first registered in UK as 01/04/2004; this is 12 years 28 days old which falls outside the maximum age policy for Private Hire Vehicles (12 yrs). After contacting Mr Hayes and checking the paper filing system it was actually discovered that the vehicle was manufactured on a date unknown in 1998.

The mileage recorded for the vehicle since 2007 until the latest roadworthiness certificate is a total of 28,242.

In accordance with the Council's Policy on vehicle age limits (Appendix 1) the vehicle is too old to be licensed as a Private Hire Vehicle, but in accordance with subsection b) of this Policy, Mr Hayes requests the vehicle be given due consideration.

Mr Hayes has been asked to make the vehicle available for the Committee's inspection to ensure that it is given full consideration in determining its suitability as a licensed vehicle.

Prior to the introduction of a Council Policy on vehicle age limits, the licensed vehicle fleet was by and large unregulated, apart from the requirement for a roadworthiness test every six months. However, the Council reviewed vehicle conditions following increasing concerns expressed by members of the public and councillors regarding the standard and quality of the vehicles licensed by it. As a result, to improve vehicle standards, the council decided that it was appropriate to introduce a limit on the age of vehicles it would licence.

The introduction of an age limit has resulted in newer vehicles being used and these licensed vehicles are fitted with more recent safety features (e.g. anti-lock brakes, side impact bars, air bags etc.). Vehicle engine management systems are more efficient and environmentally conscious. The service given to passengers has also, therefore, improved.

The Council in looking at applications to licence older vehicles, would need to use flexibility so that the authority did not fetter its discretion or act unreasonably. However, the Council has not departed from this policy apart from in exceptional circumstances, or when licensing 'vintage' or 'classic' vehicles.

Documents in relation to the vehicle are attached at (Appendix 2)

For information, Mr Hayes holds Private Hire Driver's Licence PHD149, Private Hire Operators Licence PO 012 and 2 Private Hire Vehicle Licenses PHV017 and PHV190 with the Council and we have records going back to 2006 of him and his vehicles being licensed by this Council.

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

Committee will please consider the vehicle's suitability in light of the above.

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.

FINANCIAL	None		
LEGAL	<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, safe and, comfortable.</p> <p>Under the provisions of section 60 of the Local Government (Miscellaneous Provisions) Act 1976, a Council can suspend, revoke or refuse to renew a vehicle licence, if the vehicle is unfit for use or, for any other reasonable cause.</p> <p>Any party at the hearing has a right of appeal to the Magistrates' Court.</p>		
RISK	The Committee should be aware that their overriding concern should be public safety		
THE IMPACT ON EQUALITY	None		
OTHER (see below)			
<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.
- Appendix 2 – Letter from Mr Phil Hayes
- Application form from 2008, and the current V5

Appendix 1

SOUTH RIBBLE BOROUGH COUNCIL – LICENSED VEHICLE AGE LIMITS

South Ribble Borough Council Executive's decision taken in June 2000 (as amended on 19th December 2001 and 7th December 2010) with a 1st April 2001 introductory date:

- a) On the date of first licensing, a vehicle shall *normally* be no older than four years from the date of first registration and/or the date the vehicle was first used, whichever is the earlier.
- b) On the vehicle reaching the age limit of eight years from the date of first registration and/or the date the vehicle was first used, whichever is the earlier, the vehicle licence shall *normally* no longer be eligible for renewal.
- c) In respect of purpose-built vehicles ("black cabs" and minibuses), on the date of first licensing, a vehicle shall *normally* be no older than six years from the date of first registration and/or the date the vehicle was first used, whichever is the earlier, and that on the vehicle reaching the age of twelve years from the date of first registration and/or the date the vehicle was first used, whichever is the earlier, the vehicle licence shall *normally* no longer be eligible for renewal

Appendix 2

Goodwill, Charles

From: Sophisticars <sophisticars@blueyonder.co.uk>
Sent: 12 May 2016 16:32
To: Goodwill, Charles
Subject: N60 WOW PHV 100 Application
Attachments: towncar.jpg

Importance: High



Dear Licensing department / Committee

We recently tried to renew the PHV License 100 for our White Lincoln Towncar Sedan registration N60 WOW prior to the license expiring on the 1st May 2016.

We filed the online application and supplied all roadworthiness, Mot certificate, V5 documentation and insurance details as usual to receive a phone call from the licensing department 2 days before it expiring to say that the vehicle would not be re-licensed due to it being over 8 years old. The said vehicle is actually a 1998 something that i have never tried to hide and stated quite clearly on all applications, Mots & roadworthiness reports, the vehicle will actually be 18 years old this year and has been licensed with South Ribble Borough council for the last 12 years.

The vehicle was put in front of the council in 2004 to be inspected by the licensing department as it was 6 years old at the time, the vehicle was inspected and the license was granted with No restrictions i.e the vehicle not needing to go in front of the committee again. To date we have had not experienced any issues with licensing the vehicle, for the past 12 years, only when the new online application was put in place and whilst filling the online application it would not let vehicles over 8 years be processed, once we had spoke to the licensing department they checked the system and said that as the vehicle had no restrictions they would change the system to allow the online process to complete.

Unfortunately the new system has failed us this time, we are not a common Taxi company and supply unique prestige & stretched vehicles, the fact that we were told 2 days before expiry that it wont be licensed is neither fair or acceptable for a small business, Although we understand that systems may change we should of received warning that the vehicle needs to be inspected within reasonable time allowing the license to not lapse.

The Lincoln Towncar has not and will not be used as a regular taxi, a premium is paid by the customer for this vehicle and its use for special occasions, the Towncar has never failed an MOT or Roadworthiness due to our in house servicing and inspections and has many safety features of newer vehicles, airbags, anti-lock brakes etc. We have used this vehicle for the last 12 years and to date it has only covered 93,000 miles since new.

We have been advised that this vehicle will now need to be viewed by the committee, please can the licensing department arrange that the vehicle to go in front of the committee to be viewed as soon as possible to minimise any further disruption and lack of income for my business.

We believe the likening department have all the documentation required for this vehicle.



PLEASE READ THE DECLARATIONS & QUESTIONS CAREFULLY AND ANSWER ALL QUESTIONS IN BLOCK CAPITALS

APPLICATION FOR THE GRANT, RENEWAL OR TRANSFER OF A PRIVATE HIRE VEHICLE LICENCE

Grant – saloon/MPV no older than 4 years from date of first registration and/or used whichever earlier. Purpose built for commercial use (black cab/minibus) 6 years.
Renewal - respectively no older than 8 and 12 years.

I hereby make application to the South Ribble Borough Council for a Private Hire Vehicle Licence in respect of the vehicle described below.

To make knowingly or recklessly a false statement or omit any information from this application is a criminal offence.

I DECLARE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE ANSWERS GIVEN ABOVE ARE TRUE.

I UNDERTAKE TO COMPLY WITH ANY STATUTORY PROVISIONS, REGULATIONS AND CONDITIONS RELATING TO ANY LICENCE GRANTED. I UNDERSTAND THAT IF I OR MY SERVANTS INFRINGE OR NEGLECT TO COMPLY WITH ANY OF THE CONDITIONS SUBJECT TO WHICH THE LICENCE IS HELD, IT SHALL BE LIABLE TO BE REVOKED BY THE COUNCIL.

FOR OFFICE USE ONLY	
LICENCE NO	PHV100
RWC DUE	
REGN. DOC.	
M/TEST DATE	
INITIALS	
INSURANCE DETAILS	
COMPANY	AXA
CERT/POL NO	LS/PLCH4432
C/N NO	
FROM	14/8/08
TO/FOR	13/8/09
TRANSFER DETAILS	
FROM	
DATE	
RECEIPT NO INC DEP	73436
ARCHIVE DETAILS	
EXPIRED	
SURRENDERED	
REVOKED	
TRANSFERRED TO	
CHEQUE REQD	

Signature: [Handwritten Signature] Date: 20/10/08

1. Registration. No: N60 WOW 2. Date of First Registration: 1/1/98

IF ANY OF THE VEHICLE'S DETAILS HAVE CHANGED SINCE THE LAST APPLICATION, OR THIS IS A NEW APPLICATION, PLEASE COMPLETE THE REMAINDER OF THIS FORM.

3. Make/precise model: _____ 4. Colour: _____

5. No. of passenger seats: _____ 6. Is the vehicle wheelchair accessible? _____
(do not include driver)

7. Make & model of fare meter: _____ 8. Serial number: _____

9. Location of fire extinguisher? _____
(NOT to be kept in the boot or luggage area)

10. Location of first aid kit? _____
(NOT to be kept in the boot or luggage area)

PLEASE GIVE THE FOLLOWING INFORMATION ABOUT THE OWNER:

11. Full name: _____ 12. Title: _____

13. Address: _____ 14. Tel No: _____

_____ Fax No: _____

_____ Post Code _____ Email: _____

PLEASE TURN OVER

4. Vehicle details

A Registration number **N60 W0W** 2 [A.1] Validation character **X** 3

B Date of first registration **01 04 2004**

[B.1] Date of first registration in the UK **01 04 2004**

D.1 Make **LINCOLN**

D.2 Type

Variant

Version

D.3 Model

D.5 Body type **SALOON**

[X] Taxation class **PRIVATE/LIGHT GOODS (PLG)**

[D.6] Suspension Type

[M] Revenue weight

P.1 Cylinder capacity (cc) **4600 CC**

V.7 CO₂ (g/km)

P.3 Type of fuel **PETROL**

S.1 Number of seats, including driver

S.2 Number of standing places (where appropriate)

[D.4] Wheelplan **2-AXLE-RIGID BODY**

J Vehicle category

K Type approval number

P.2 Max. net power (kW)

E VIN/Chassis/Frame No. **1LNFH9147WY783407**

P.5 Engine number **NOT KNOWN**

F.1 Max. permissible mass (exc. m/c)

G Mass in service

Q Power/Weight ratio (kW/kg) (only for motorcycles)

R Colour **WHITE**

O Technical permissible maximum towable mass of the trailer:

O.1 braked (kg)

O.2 unbraked (kg)

U Sound level:

U.1 stationary (dB(A))

U.2 engine speed (min-1)

U.3 drive-by (dB(A))

V Exhaust Emissions:

V.1 CO (g/km or g/kWh)

V.2 HC (g/km or g/kWh)

V.3 NOx (g/km or g/kWh)

V.4 HC+NOx (g/km)

V.5 particulates (g/km or g/kWh)

5. Registered keeper

If any details are wrong enter the correct details in section 6, sign Section 6, and return to DVLA

C.4.c - This document is not proof of ownership.

C.1.2 **PHILIP**
 C.1.1 **HAYES**
 C.1.3 **3 WESTWOOD ROAD**
LEYLAND
PR25 3NS

I **ACQUIRED VEHICLE ON 10 08 2004**
 Please write in black ink and CAPITAL LETTERS.

6. New keeper or new name/new address details

Please see section 12

Mr 1 Mrs 2 Miss 3 Please tick (✓) the appropriate box **W** 4

Title (for example, Ms, Rev and so on) or business name:

First names: 5

Surname: 6

For company use only DVLA/DVA Fleet number 7

Date of birth (not required by law) 8 Postcode: 9 Please help us to help you by giving your postcode.

House No:

Address: 10

Post town: 11

New keeper? If so tick this box: **K** 12 Date of sale or transfer: 13

Driving licence number of the new keeper (not required by law)

Present mileage (not required by law) 15

R 16 **S** 17

7. Changes to current vehicle

Only when corrected by official DVLA

H 19

Wheelplan / Body type 20

VIN / Chassis / Frame Number 21

New revenue weight 22 Date of change 23 Cylinder capacity (cc) 24

No. of seats inc. driver 25 No. of standing places 26 Type of fuel 27

Engine number 28

New colour 29 Date of change 30 CLR 30

Tax class* 31 **Y** 32

*The tax class shown in section 4 can only be changed when taxing. Please apply at your nearest DVLA local office.

8 Declaration - You MUST sign, date and return this page to DVLA, Swansea, SA99 1BA when you notify any changes.

Registered keeper: I declare that the new details I have given are correct to the best of my knowledge.

New keeper: I declare that this vehicle was sold or transferred to me on the date shown in section 6 and my name and address are correctly shown.

Signature: Date:

Signature: Date:

Law: If the vehicle is sold or transferred, both the registered keeper and the new keeper must sign this Certificate.

Official use only. Please do not write below this line.

Doc. Ref. N° 1304 806 2734 31 10 11
 Des. Codes 1066448580 / 01420 24

V5C-0311

N60 W0W

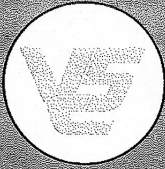
X



8269 3321 3040 1400 8421 1270

ISC 34

Official Use Only



Registration number

N60 W0W



THIS DOCUMENT IS NOT PROOF OF OWNERSHIP.
It shows who is responsible for registering and taxing the vehicle.



UNITED KINGDOM UK REGISTRATION CERTIFICATE

An executive agency of the
Department for
Transport

European Community

свидетелство за регистрация
Permiso de circulación
Osvedčenie o registraci
Registreringsattest
Zulassungsbescheinigung
Registreerimistunnistus

Άδεια κυκλοφορίας /
Πιστοποιητικό Έγγραφής
Certificat d'immatriculation
Teastas Clárailithe
Carta di circolazione
Registrācijas apliecība

Registrācijas liudijimas
Forgalmi engedely
Certifikat ta' Registrazzjoni
Kentekenbewijs
Dowód Rejestracyjny
Certificado de matricula

Certificat de înmatriculare
Osvedčenie o evidencii
Prometno dovoljenje
Rekisteröintodistus
Registreringsbeviset

1. Registered keeper

1066448500 / 01420

PHILIP HAYES
3 WESTWOOD ROAD
LEYLAND
PR25 3NS

25000

You must make sure that the name and address printed here is correct. If it is not, see section 12.

Document reference number
1304 806 2734

Thinking of buying this vehicle? Buyer beware...

Do you know how to avoid being tricked into buying a stolen vehicle?

For tips and advice go to www.direct.gov.uk/buyerbeware



2. The previous registered keeper

[Z.1] WILLIAM HARRISON, ASH DOWN HOUSE, WOOD LANE, CASTLEFORD, WF10 5PL.

[Z.2] ACQUIRED VEHICLE ON 01 04 2004

[Z] NO. OF FORMER KEEPERS 1 SINCE APR 2004

3. Special notes (these notes cannot be removed)

1. WAS REGISTERED/USED OVERSEAS. DECLARED MANUFACTURED 1998.