

REPORT OF THE DIVISIONAL OFFICER
LICENSING, FOOD & SAFETY
TO THE GENERAL LICENSING COMMITTEE
6th MARCH 2015

CONSIDERATION OF THE REMOVAL OF PRIVATE HIRE VEHICLE
CONDITION 5 AND REMOVAL AND AMENDMENT OF RESTRICTED
PRIVATE HIRE VEHICLE CONDITIONS 3 & 5

1.0 Background

- 1.1 As Members will be aware, authorisation was given to licensing officers on 20th June 2014 to grant vehicle applications outside of the current age criteria, as long as the vehicle met all other required licensing criteria, had passed the Council's inspection test and was under 5 years old. A copy of the previous report is attached at Appendix A.
- 1.2 Due to the increasing number of applications of this nature, the General Licensing Committee on 14th November 2014 requested that consideration be given to authorising licensing officers to grant vehicle licences for any vehicle outside of the current age criteria. However, following consideration of this matter on 17th December 2014, Members did not agree to give licensing officers further authorisation but resolved not to inspect vehicles in the future and to rely on written reports from licensing officers in determining applications.

2.0 Proposal

- 2.1 In order to ensure that application criteria and conditions of licence are clear, transparent and consistent, it is proposed to change the following conditions to reflect the decision of 20th June 2014, namely:

Private hire vehicle Condition 5 and Restricted private hire vehicle condition 5 currently states:

“Vehicles will not be accepted for licensing on the first occasion after 2 years from the date of first registration. Vehicles purchased from new will be relicensed on merit. If a vehicle when first licensed is any age up to 2 years from the date of first registration it will be relicensed on merit until it is six years old.”

And replace condition 5 with the following condition:

“Vehicles will not be accepted for licensing on the first occasion after 5 years from the date of first registration. Vehicles will be relicensed on merit.”

2.2 In addition, a number of restricted private hire vehicles have been reported for Committee decision as they do not comply with the condition that requires them to be specially adapted for school transport purposes and have been approved. School Transport Officers have confirmed that many of the contracts being offered do not require specially adapted vehicles.

2.3 Restricted private hire vehicle condition 3 currently states:

“The Restricted Private Hire Vehicle Licence can only be used for restricted Private Hire Journeys pre-booked with a licensed operator and identified in the licence. These are:

School Transport contracts

An application to licence a restricted private hire vehicle for school transport purposes will only be considered for a new contract that requires a vehicle of a certain type or design that would not be licensed as a hackney carriage or private hire vehicle. Schools transport officers will be consulted on all applications received.

Airport travel and / or Executive hire.”

2.4 It is proposed that restricted private hire vehicle condition 3 is replaced with the following condition:

“The Restricted Private Hire Vehicle Licence can only be used for restricted Private Hire Journeys pre-booked with a licensed operator and identified in the licence. These are :

School Transport contracts;

Airport Travel;

Executive Hire.”

3.0 RECOMMENDATIONS

3.1 It is recommended that:

i) Members remove private hire vehicle condition 5 and restricted private hire vehicle condition 5 and replace condition 5 with the following condition:

“Vehicles will not be accepted for licensing on the first occasion after 5 years from the date of first registration. Vehicles will be relicensed on merit.”

and

ii) condition 3 that requires restricted private hire vehicles to be specially adapted for school transport purposes be removed and replaced with the following condition:

“The Restricted Private Hire Vehicle Licence can only be used for restricted Private Hire Journeys pre-booked with a licensed operator and identified in the licence. These are :

*School Transport contracts;
Airport Travel;
Executive Hire.”*

The Licensing Committee’s instructions are requested.

Background Papers: Special General Licensing Committee 20th June 2014
Contact Officer: Yvonne Lewis
Extension: 5600
Legal Contact: Kath Clague