



Name of Committee:	Public Protection Licensing Committee
Date of Meeting:	30/04/2019
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Application to Waive the Vale of Glamorgan Council's Age Policy Guidelines for the Grant of a Private Hire Vehicle Licence.
Purpose of Report:	To consider a request by Vale Rentals Ltd to waive the Vale of Glamorgan Council's Age Policy Guidelines in respect of a Private Hire Vehicle Licence.
Report Owner:	Director of Environment and Housing
Responsible Officer:	Miles Punter - Director of Environment and Housing
Elected Member and Officer Consultation:	None
Policy Framework:	This is a matter for decision for the Public Protection Licensing Committee.
Executive Summary:	An application has been received which falls outside the current policy guidelines for the grant of a private hire vehicle licence.

1. Recommendation

- 1.1** Members are requested to determine whether to grant the request to waive the Vale of Glamorgan Council's Age Policy Guidelines in respect of this application.
- 1.2** Members must consider any representations made by Vale Taxi Hire Ltd.
- 1.3** Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 applies to this case as set out in Section 10 below.

2. Reasons for Recommendations

- 2.1** To advise Members of the options available to them.

3. Background

- 3.1** The Committee has adopted Age Policy Guidelines in respect of the age of vehicles at first licensing. The Age Policy Guidelines have been in operation for a number of years and were last revised on 5th November 2013 when the class of vehicle to which the policy applies was simplified.
- 3.2** Class One requires that the vehicle must be less than five years old to have a licence granted. This vehicle, a VW Sharan MPV Diesel Car, registration YK63 KCC, falls within the Class One category. The date of first registration for this vehicle is 2 September 2013 making it 5 years and 7 months old at the time of application.

4. Key Issues for Consideration

- 4.1** On 1st April 2019 Vale Rentals Ltd submitted an application for a Private Hire Vehicle Licence for the above-mentioned vehicle. The application was accompanied by a written request asking that consideration be given to waiving the age policy guidelines; Mr Ahmed, on behalf of Vale Rentals Ltd, states that the vehicle is in very good condition. No other details were provided within the letter.
- 4.2** The V5 Registration Certificate shows that Vale Rentals Ltd acquired the vehicle on 21 February 2019 and this is the first application for a licence.
- 4.3** If Members are minded to approve the waiver of Age Policy Guidelines in respect of this vehicle, the vehicle must be presented for testing at the Alps Depot. A licence will only be issued from the date the vehicle receives a satisfactory pass certificate.

5. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 5.1** This report supports the well-being outcome of An Inclusive and Safe Vale.

6. Resources and Legal Considerations

Financial

- 6.1** Resources directed to the administration and enforcement of the Taxi Licensing function may be recovered through Taxi Licensing Fees and Charges.

Employment

- 6.2** None.

Legal (Including Equalities)

- 6.3** Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 states: -
(1) Subject to the provisions of this Part of this Act, 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;
- 6.4** Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states;
A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.
- 6.5** Section 48 (7) The Local Government (Miscellaneous Provisions) Act 1976 states:-
Any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any condition specified in such a licence, may appeal to a magistrates' court.

7. Background Papers

None.