



Name of Committee:	Public Protection Licensing Committee
Date of Meeting:	15/12/2020
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Application for the Grant of a Hackney Carriage Licence in respect of a Vehicle Outside Vale of Glamorgan Council's Age Policy Guidelines.
Purpose of Report:	To consider an application made by Vale Rentals Ltd for a Hackney Carriage Licence for Toyota Avensis, MT12 FYX.
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.
<p>Executive Summary:</p> <ul style="list-style-type: none"> • An application has been received which falls outside the current policy guidelines for the grant of a Hackney Carriage licence. • To consider the assessment of the vehicle and whether there are exceptional circumstances to waive the age policy guidelines in place requiring vehicles to be under 6 years old at first licensing. 	

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 having regard to the attached Assessment.
- 1.2** Members must consider any representations made by Vale Rentals Ltd.

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.
- 3.2** Class One category vehicles (mainly saloons) must be less than six years old to have a licence granted. This vehicle, a Toyota Avensis, a Diesel Car, registration MT12 FYX, falls within this category of vehicle but the date of first registration for this vehicle is 25 June 2012 making it 8 years and 4 months old at the time of application.

4. Key Issues for Consideration

- 4.1** The vehicle MT12 FYX was first licensed as a Hackney Carriage in the Vale of Glamorgan on 19th May 2017.
- 4.2** On 19th February 2020 the licence for Hackney Carriage 115 was suspended under Section 60 of The Local Government (Miscellaneous Provisions) Act, the proprietor having reported that the vehicle had been damaged in an accident.
- 4.3** The Covid-19 Pandemic resulted in a National Lockdown at the end of March 2020. The UK government applied a number of measures to assist businesses. This included provision for all MOT Certificates due to expire between 30 March and 31 July 2020 to be extended for a period of six months. This then made it possible to issue an extension of the hackney carriage or private hire licence by a similar period, free of charge. This MOT on this vehicle expired on 18 November 2020 so did not qualify for an extension. The above-mentioned suspension remained in place as the Council received no indication that the vehicle was roadworthy. The Hackney Carriage licence expired on 18th May 2020 and no application to renew was submitted.
- 4.4** On 15th September 2020, without any prior notice to the Licensing Authority, the vehicle was presented for testing.

- 4.5** The proprietor was advised that, although a test had been conducted, he would need to make application for the Grant of a licence. On 13th October 2020 an application was submitted. As this is the grant of a licence, the vehicle must be under 6 years old. This vehicle was 8 years and 4 months at the time of the application. Officers do not have the delegated power to approve applications outside the policy guidelines.
- 4.6** At their meeting on 2 July 2019, the Public Protection Committee RESOLVED as follows:
- 4.7** (1) T H A T the Age Policy Guidelines in respect of Class One Hackney Carriages and Private Hire Vehicles to be amended to show a requirement for the vehicle to be a maximum of 6 years old at time of first licence.
- 4.8** (2) T H A T for applications to waive the age policy guidelines for Class One Hackney Carriages and Private Hire Vehicles that are to be considered by the Licensing (Public Protection) Committee, for the suitability and condition of the vehicles to be assessed by the Alps Depot, and the outcome of the assessment to be reported to the Committee prior to determination.
- 4.9** Reasons for decisions
- (1) In order to amend the current Age Policy Guidelines so that vehicles could be a maximum of 6 years old at the first time of licence.
- 4.10** (2) In order for the Committee to receive the result of the testing by the Alps Depot prior to the Committee's determination on whether to waiver the Age Policy Guidelines.
- 4.11** ASSESSMENT
- 4.12** On 15 September 2020 the vehicle was presented for testing at The Alps Depot. A copy of the assessment of the mechanical fitness is attached at Appendix A.
- 4.13** On 16th October 2020 the vehicle was presented for testing again and failed the mechanical test. The assessment is attached at Appendix B.
- 4.14** On 3rd November 2020 the vehicle was presented for testing again, and again failed. Many of the faults identified in the previous test were still apparent. The assessment and MOT failure certificates are attached at Appendix C.
- 4.15** Later that day the Mechanic who had examined the vehicle contacted Licensing to say that it was in a very poor condition and that there was a question as to whether this vehicle could meet the required standard. This opinion has been endorsed by the Fleet Manager, Neighbourhood Services and Transport.

- 4.16** The Committee is requested to consider the assessment and determine whether to waive the age policy guidelines in this case. If Members are satisfied that there are exceptional circumstances to depart from the age policy guidelines, the vehicle will be presented at Fleet Services the Alps for an MOT Test and Taxi compliance test.

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** The power to licence hackney carriages is contained within Section 37 of the Town Police Clauses Act 1847. The reference to commissioners now relates to the local authority.

- 6.4** Hackney carriages to be licensed.

The commissioners may from time to time licence to ply for hire within the prescribed distance, or if no distance is prescribed, within five miles from the General Post Office of the city, town, or place to which the special Act refers, (which in that case shall be deemed the prescribed distance,) [F1such number of] hackney coaches or carriages of any kind or description adapted to the carriage of persons [F1as they think fit].

7. Background Papers

None.

THE VALE OF GLAMORGAN COUNCIL
HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE INSPECTION

Telephone: 029 2067 3243

16115

Owner: Vale Rentals Registration Number: MT 12 FX
 Plate Number: HC 115 Last Inspection Date:
 Make and Model: TOYOTA AVENSIS Colour: WHITE/BLACK
 Number of Passenger Seats: FOUR VIN No: 067987
 Expiry Date of Last Hackney Carriage/Private Hire Licence: 18-MAY-2020
 M.O.T. Test Certificate Number: Expiry Date:
 Mileage: 253574

CODE	TESTABLE ITEM	PASS	FAIL	REMARKS
1	Audible Warning	/		
2	Electrical Wiring	/		
3	Lamps Front	/		NS Side Repeater Damaged
4	Lamps Rear		✓	
5	Reflectors	/		cab Dirty ✓
6	Direction Indicators	/		
7	Windscreen Washers and Wipers	/	✓	Passenger Seat Belt ✓
8	Battery		✓	Straight
9	Hackney Light		✓	
10	Interior Light	/		
11	Condition of Interior	/		NSR Panel Repair Incomplete
12	Condition of Doors and Locks		✓	
13	Conditions of Body and Paint Finish	/		Headlight Image Both Sides
14	Security of Seats		✓	
15	Seat Configuration		✓	Battery Insecure ✓
16	Conditions of Safety Belts	/		
17	Conditions of Glass and Mirrors	/		Engine Fluid leak ✓
18	Road Wheels and Hubs	/		
19	Condition of Tyre and Sizes	/		
20	Spare Wheel, Jack and Brace/Tyre Weld	/		OSF Tyre Under Inflated
21	Play in Steering	/		
22	Steering Column	/		Dent front Bumper lower
23	Condition of Suspension		✓	
24	Shock Absorbers		✓	Rust OSF Door
25	Steering System	/		
26	Engine Transmission and Differential		✓	
27	Condition of Vehicle Structure	/		NSR Suspension Bush Worn (forward Most Bush)
28	Fuel Tank (Petrol/Diesel/LPG) and Pipes	/		
29	Exhaust System and Emission Level	/		
30	Hand and Footbrake Operation in Car	/		
31	Footbrake and Handbrake Performance	/		Paint Chip/Rust OSF wing
32	Brake Systems	/		
33	Speedometer	/		
	Condition Licence Plate	/		
	Position of Licence Plate	/	NR	NSF Window Wobbles UP

Information for Licensing Department
 of the following present in/on the vehicle, if so please give details:
 Signage - Yes / ~~No~~
 CB Radio - ~~Yes~~ / No
 for wheelchair access - ~~Yes~~ / No
 / No

**SECTION 60
FULL TEST**

Issued for Plate Failed as Above

I hereby certify that in my opinion this report is correct at the time of examination

Signature: David Eveleigh Date: 15-9-20

THE VALE OF GLAMORGAN COUNCIL
HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE INSPECTION

16159

Telephone: 029 2067 3243

Owner: Vale rentals Registration Number: MT12 FYX
 Plate Number: HCL15 Last Inspection Date: Grant
 Make and Model: TOYOTA AVENSIS Colour: White/Black
 Number of Passenger Seats: four VIN No. 087987
 Expiry Date of Last Hackney Carriage/Private Hire Licence: Grant
 M.O.T. Test Certificate Number: Fail Expiry Date:
 Mileage: 253587

CODE	TESTABLE ITEM	PASS	FAIL	REMARKS
1	Audible Warning	/		
2	Electrical Wiring	/		
3	Lamps Front	/	X	O/S head lamp out.
4	Lamps Rear	/		
5	Reflectors	/		
6	Direction Indicators	/		
7	Windscreen Washers and Wipers	/		
8	Battery	/		
9	Hackney Light	/		
10	Interior Light	/		
11	Condition of Interior	/		
12	Condition of Doors and Locks		X	
13	Conditions of Body and Paint Finish		X	Front bumper insecure x has runs in paint and overspray
14	Security of Seats	/		
15	Seat Configuration	/		
16	Conditions of Safety Belts	/		
17	Conditions of Glass and Mirrors	/		Rear bumper cracks runs in paint and Bad repair to W/S/R W/S wing mirror runs in paint poor repair
18	Road Wheels and Hubs	/		
19	Condition of Tyre and Sizes	/		W/S/R arch Dents x Damage
20	Spare Wheel, Jack and Brace/Tyre Weld	/		W/S/R Door Dents
21	Play in Steering	/		
22	Steering Column	/		
23	Condition of Suspension	/		
24	Shock Absorbers	/		
25	Steering System	/		
26	Engine Transmission and Differential	/		
27	Condition of Vehicle Structure	/		
28	Fuel Tank (Petrol/Diesel/LPG) and Pipes	/		
29	Exhaust System and Emission Level	/		
30	Hand and Footbrake Operation in Car	/		
31	Footbrake and Handbrake Performance	/		
32	Brake Systems	/		
33	Speedometer	/		
34	Condition Licence Plate	/		
35	Position of Licence Plate	/		

Information for Licensing Department

Are any of the following present in/on the vehicle, if so please give details:

Adverts/Signage - Yes / No

CCTV - Yes / No

Scanners / CB Radio - Yes / No

Lift/Ramp for wheelchair access - Yes / No

LPG - Yes / No

Passed for Plate Failed as Above

I have examined this vehicle and certify that in my opinion this report is correct at the time of examination

Examiner (Print Name) Steve WilsonDate 16.10.20Signature Steve Wilson

**THE VALE OF GLAMORGAN COUNCIL
HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE INSPECTION**

Telephone: 029 2067 3243

16206

Owner: CHASE RENTALS Registration Number: M712 Fyx
 Plate Number: HC115 Last Inspection Date: 16/10/20
 Make and Model: TOYOTA AURIS Colour: WHITE/BLACK
 Number of Passenger Seats: FOUR VIN No: 88798
 Expiry Date of Last Hackney Carriage/Private Hire Licence: CRANT
 M.O.T. Test Certificate Number: FITZLEW Expiry Date: NA
 Mileage: 253627

CODE	TESTABLE ITEM	PASS	FAIL	REMARKS
1	Audible Warning	/		
2	Electrical Wiring		/	OP HEADLAMP ASM
3	Lamps Front		/	WIRING LOOSE IN FOOTWELL
4	Lamps Rear	/		
5	Reflectors	/		
6	Direction Indicators		/	OP SIDE REPEATERS - FAULTY
7	Windscreen Washers and Wipers	/		
8	Battery	/		
9	Hackney Light	/		
10	Interior Light	/		
11	Condition of Interior	/		
12	Condition of Doors and Locks	/		
13	Conditions of Body and Paint Finish		/	OP/SR WING, OP/SR DOOR
14	Security of Seats	/		OP/SR DOOR, OP/SR QUARTER
15	Seat Configuration	/		PANEL, REAR BUMPER,
16	Conditions of Safety Belts	/		BOOT, OP/SR QUARTER PANE,
17	Conditions of Glass and Mirrors	/		MSR DOOR, MSF DOOR
18	Road Wheels and Hubs	/		FRONT BUMPER =
19	Condition of Tyre and Sizes	/		
20	Spare Wheel, Jack and Brace/Tyre Weld	/		
21	Play in Steering	/		
22	Steering Column	/		
23	Condition of Suspension	/		
24	Shock Absorbers	/		
25	Steering System	/		
26	Engine Transmission and Differential	/		
27	Condition of Vehicle Structure	/		
28	Fuel Tank (Petrol/Diesel/LPG) and Pipes	/		
29	Exhaust System and Emission Level	/		
30	Hand and Footbrake Operation in Car	/		
31	Footbrake and Handbrake Performance	/		
32	Brake Systems		/	OP/SR BRAKE DISC EXCESSIVELY WORN.
33	Speedometer	/		
34	Condition Licence Plate	/		
35	Position of Licence Plate	/		

BODYWORK
 PAINTWORK NOT TO AN ACCEPTABLE STD. + DAMAGE + POOR REPAIR TO ABOVE PANELS.
 OVERSPRAY ON AUL TRAY

Information for Licensing Department

Are any of the following present in/on the vehicle, if so please give details:
 Adverts/Signage - Yes / No
 CCTV - Yes / No
 Scanners / CB Radio - Yes / No
 Lift/Ramp for wheelchair access - Yes / No
 LPG - Yes / No

**CHARGED FULL
RETEST**

Passed for Plate

Failed as Above

I have examined this vehicle and certify that in my opinion this report is correct at the time of examination

Examiner (Print Name) P. RANUSO Date 3/11/20
 Signature [Signature]

Refusal of MOT test certificate

① Vehicle identification number

SB1BD76L30E087987

②a Registration number ②b Country of registration

MT12FYX

GB

Make and model

TOYOTA AVENSIS

⑤ Vehicle category

M1

④ Mileage

253,623 miles



Driver & Vehicle
Standards
Agency

⑦ Fail

⑥ Repair immediately (major defects)

- Headlamp aim too high Offside [4.1.2 (a)]
- Side repeater light intensity significantly reduced Offside [4.4.3 (a)]
- Brake disc significantly and obviously worn Offside Front [1.1.14 (a) (i)]

Monitor and repair if necessary (advisories)

- Brake disc worn, but not excessively Nearside Front [1.1.14 (a) (i)]

②b Date of the test

03.11.2020

②a Location of the test

THE ALPS DEPOT, QUARRY RD, WENVOE, CARDIFF, CF5 6AA

③ Testing organisation and inspector name

**9836A0 VALE OF GLAMORGAN COUNCIL
P. G. DENNING**

MOT test number

8980 0021 3885

**If this vehicle had an MOT extension in place at the time of test, it is no longer valid.
The vehicle must pass an MOT before it can be used on public roads.**

To find out about retests, or if you disagree with the test result, see the fees and appeals poster at the vehicle testing station. Alternatively, visit www.gov.uk/getting-an-mot

If any of the details are not correct, please contact DVSA by email at enquiries@dvsa.gov.uk or by telephone on 0300 1239000.

Find out about the vehicle's MOT history at www.gov.uk/check-mot-history


Issuer signature