

Cheltenham Borough Council

Licensing Committee – 4th July 2014

Application for a Private Hire Vehicle Application

Mr Clive Robinson

Report of the Licensing Officer

1. Summary and Recommendation

- 1.1 An application for a Private Hire vehicle licence was submitted by Mr Robinson on 27th June 2014.
- 1.2 The application is to license a blue Jaguar X-Type SE, registration number DG58 ZLO, first registered on 29th September 2008.
- 1.3 The vehicle, being registered as new in 2008, does not comply with the Council's policy which requires that all new vehicles being licensed as Private Hire vehicles must be under 5 years old from the date of manufacture.
- 1.4 For the reason above, the application has been referred to the Committee for determination.
- 1.5 **The Committee is recommended to resolve that:**
 - 1.5.1 **The application be granted because the Committee considers there to be sufficient grounds to deviate from the adopted policy; or**
 - 1.5.2 **The application be refused because the vehicle does not comply with the Council's adopted policy.**

1.6.1 Financial

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1.6.2 Legal

The Council has an agreed and adopted a policy that details the standards that are required in respect of new and existing Private Hire Vehicles. The Council can depart from its own policy where there are reasonable grounds for departing from its own policy.

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2. Background

- 2.1 The Council's adopted Licensing Policy, Guidance and Conditions for Private Hire and Taxis Operating within the Borough of Cheltenham was adopted on the 3rd of September 2010 and came into affect on the 1st of December 2010. Sections of that policy were amended and the amendments were adopted on the 13th May 2011.

- 2.2 The aim of the licensing process, in the context of the policy, is to regulate the Hackney Carriage and Private Hire trade in order to promote the below objectives.
- 2.3 In setting out its policy, the Council seeks to promote the following objectives:-
- a) The protection of the public;
 - b) The establishment of a professional and respected Hackney Carriage and Private Hire trade;
 - c) Access to an efficient and effective public transport service;
 - d) The protection of the environment.
- 2.4 The Policy will apply in respect of applications, renewals, reviews and transfers in relation to the following licences:-
- a) Private Hire vehicle;
 - b) Private Hire driver;
 - c) Private Hire operator;
 - d) Hackney Carriage driver; and
 - e) Hackney Carriage proprietor.

Vehicles

2.5 Vehicle standards for all new licences issued for Private Hire Vehicles

- a) *Maximum age limit of 5 years old at date of manufacture;*
- b) Minimum interior dimensions to ensure ease and comfort of passengers.

3. Licensing Comments

- 3.1 Mr Robinson has submitted a statement in support of his application which is attached to this report at **Appendix A**.
- 3.2 With regards to suitable mechanical condition, the vehicle passed an MOT and fitness test on 24th June 2014. Copies of the MOT and fitness certificates are attached at **Appendix B** of this report.
- 3.3 Mr Robinson has been sent a copy of this report and invited to attend this meeting to speak in support of his application and to answer members' questions, or to be represented. In considering the application on its own merits Members should have regard to the adopted Probity Guide
- 3.4 Although the Committee can deviate from its own adopted policy, it should only do so where there are strong and defensible reasons for doing so

Background Papers

Service Records

Contact Officer

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