

Report of	Meeting	Date
Director of Legal Services	Licensing & Safety Committee	24/08/05

APPLICATION TO LICENCE OVER AGE VEHICLE

PURPOSE OF REPORT

- To bring to the attention of members an application to licence a private hire vehicle that is over the Council's age limit.

CORPORATE PRIORITIES

- This report is relevant to further the key corporate priorities of the Council ie making a safer Chorley by ensuring that all licensed vehicles are fit for the purpose.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation		Regulatory/Legal	4
Financial		Operational	
People		Other	

- There is a right of appeal against a refusal to licence to the Magistrates Court.

BACKGROUND

- Frederick Lewis of 147 Chorley Road, Heath Charnock is a private hire driver licensed by the Council, Mr Lewis has applied to licence a Mercedes E230, registered number N908 JHG, as a private hire vehicle.
- It is a condition of private hire vehicle licences issues by this Council that "On the date of first licensing, a vehicle shall normally be no older than four years from the date of manufacture". This application is in respect of a vehicle that is nine years old.
- Although a Council can have a policy on ages of vehicles this policy cannot be inflexible and that is the reason for the word "normally" being inserted in the licence condition.
- Usually such applications are resolved at officer level but in this particular case it is felt that the decision should be made by Committee as a recent application was refused in respect of someone working for the same operator as Mr Lewis.

9. Mr Lewis has followed the correct procedure in presenting the vehicle for inspection prior to a licence application. A check of the vehicle found it to be in above average condition for it's age with a full service history and mileage of 65,000. In view of the inspecting officer this vehicle would be suitable for use as a private hire vehicle providing that it successfully completed a "taxi test". Should the vehicle be licensed it would be subject to a "taxi test" every 4 months in line with current practice.

COMMENTS OF THE DIRECTOR OF FINANCE

10. There are no comments in relation to this report.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

11. There are no comments in relation to this report.

RECOMMENDATION

12. That the Committee considers in this particular case whether or not a private hire vehicle licence should be issued.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

13. None.

ROSEMARY LYON
DIRECTOR OF LEGAL SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Keith Ogden	5163	4 August 2005	LEGREP/89874LM