



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	LICENSING SUB COMMITTEE – 27 JANUARY 2022
Report Number	Agenda Item 5
Subject	APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE
Wards affected	ALL
Accountable member	Councillor MacRae, Cabinet Member for Environment Email: norman.macrae@westoxon.gov.uk
Accountable officer	Andrea Thomas, Licensing Officer Tel: 01993 861000 Email: andrea.thomas@publicagroup.uk
Summary/Purpose	To consider an application for a Private Hire Vehicle Licence.
Annexes	ANNEX A – APPLICATION FORM, INSURANCE, MOT AND V5 ANNEX B – PHOTOS OF VEHICLE ANNEX C – STATEMENT FROM APPLICANT
Recommendation/s	That the Sub-Committee determines the application for a Private Hire Vehicle Licence.
Corporate priorities	Ensure that services delivered by the Council are delivered to the highest standard.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Not applicable

I. BACKGROUND

An application for a Private Hire Vehicle licence has been received from Mr Jonathan Light of 2 Woodford Drive, Charlbury, OX7 3SE. The vehicle will be over the required 5 years age limit for a new vehicle to be licensed. A copy of the application form, supporting documents and photos of the vehicle can be found at Annex A and B.

Mr Light has held a Private Drivers Licence with West Oxfordshire since 1st June 2018 and he works for Charlbury Taxis.

2. MAIN POINTS

2.1. Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 (“the Act”) provides that West Oxfordshire District Council is charged with the duty of issuing Private Hire Vehicle Licences.

2.1.1. The Act states that ‘provided that a district council shall not grant such a licence unless they are satisfied;

(a) That the vehicle is –

- Suitable in type, size and design for the use as a Private Hire Vehicle
- Not of such a design and appearance as to lead any person to believe that the vehicle is a hackney carriage.
- In a suitable mechanical condition
- Safe, and
- Comfortable

(b) That there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of the Part IV of the Road Traffic Act 1988.

2.1.2 West Oxfordshire District Council’s Hackney Carriage and Private Hire Licensing Policy (October 2021) requires all vehicles to be under 5 years of age when first licensed. There is an upper age limit of 15 years.

2.1.3 The application has been referred to the Licensing Sub-Committee for determination as the vehicle departs from the age limit and is not deemed to fall under the list of exempt vehicles as detailed at section 5.2 of the policy which states;

5.2 Age policy for vehicles

A new application for a Hackney Carriage or Private Hire vehicle licence will be refused if a vehicle is more than 5 years old from date of first registration.

An application to change the vehicle licensed as a Hackney Carriage or Private Hire vehicle will be refused if a vehicle is more than 5 years old from date of first registration.

An application to renew a Hackney Carriage or Private Hire vehicle will be refused if the vehicle is more than 15 years old from date of first registration. Wheelchair accessible vehicles will be exempt from the above policy.

Licensing Officers have the discretion to licence a vehicle that does not meet the above age policy in the case of elite vehicles such as purpose built Hackney Carriage cab, Rolls Royce or similar provided the vehicle is in excellent condition. Any such requests for licensing a vehicle should be made in writing by email.

3. FINANCIAL IMPLICATIONS

- 3.1. An applicant has the right of appeal to the Magistrates' Court if the application is not granted. Any appeal to the Magistrates' Court could result in the Council having to bear the legal costs to defend its action.

4. LEGAL IMPLICATIONS

- 4.1. The Council is charged with the statutory duty of issuing Private Hire Vehicle Licences

5. RISK ASSESSMENT

- 5.1. The Council has a duty to ensure public safety through its licensing regime and is required to satisfy the vehicles are fit for purpose.

6. BACKGROUND PAPERS

West Oxfordshire District Council's Hackney Carriage and Private Hire Licensing Policy (October 2021)

Local Government (Miscellaneous Provisions) Act 1976.

Road Traffic Act 1988.