

REPORT OF THE DEPUTY CHIEF EXECUTIVE

REGULATORY COMMITTEE – 25 FEBRUARY 2013

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

THE LICENSING OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES – RAISING AWARENESS OF AGE POLICY

1.0 PURPOSE OF THE REPORT

- 1.1** The purpose of the report is to seek the agreement of the Committee with regard to the provision of additional information about the Council's Age Policy relating to the licensing of Hackney Carriages and Private Hire Vehicles.

2.0 DESCRIPTION OF DECISION (RECOMMENDATIONS)

- 2.1** The Committee is recommended to agree the methods proposed by this report for providing additional information to licensees in relation to the Council's Age Policy for vehicles.

3.0 INTRODUCTION/BACKGROUND

- 3.1** The Committee recently requested that the Licensing Section take further steps in order to increase the awareness of vehicle licensees with regard to the Council's Age Policy relating to their vehicles.

4.0 CURRENT POSITION

- 4.1** Currently, the application forms submitted by persons applying for a Hackney Carriage or Private Hire vehicle licence contain information regarding the Council's Age Policy.
- 4.2** Additionally licensees are posted annually an application form in order to facilitate the renewal of their Hackney Carriage or Private Hire Vehicle licence. This form contains information regarding the Council's Age Policy.
- 4.3** It is proposed that all the above-mentioned forms be amended to further highlight the Age Policy. The forms will also be amended to require applicants to sign an acknowledgment of their understanding of the Age Policy (copies of the proposed forms are attached as Appendix 1).
- 4.4** It is also proposed that a note relating to the Age Policy be added to both Hackney Carriage and Private Hire Vehicle licences (copies attached as Appendix 2).

5.0 REASONS FOR THE DECISION

- 5.1** To ensure that vehicle licensees are aware of the Council's Age Policy relating to Hackney Carriages and Private Hire Vehicles.

6.0 ALTERNATIVE OPTIONS

6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS/CONSULTATION

7.1 There are no other relevant considerations that require the consideration of the Committee.

8.0 GLOSSARY

8.1 None.

9.0 LIST OF APPENDICES

9.1 Appendix 1 Proposed initial and renewal application forms.

9.2 Appendix 2 Proposed licences.

10.0 BACKGROUND PAPERS

10.1 None.

Appendix 1

Town Police Clauses Act 1847

Application for a Hackney Carriage Licence

YOUR COMPLETED APPLICATION MUST BE RETURNED TO ONE OF THE COUNCIL'S CUSTOMER SERVICES CENTRES LISTED ON THE ATTACHED SHEET. PLEASE REFER TO THIS SHEET IN RELATION TO THE PAYMENT METHODS AVAILABLE AT OUR CUSTOMER SERVICE CENTRES

PLEASE READ THIS NOTE

The Council has policies to ensure that vehicles are safe and suitable to be used as Hackney Carriages or Private Hire Vehicles.

- a) No vehicle aged over five years old, from the date of first registration, will be accepted for licensing unless we consider it to be exceptionally well maintained. *This policy applies even where the vehicle has been licensed previously but the previous licence, for whatever reason, is not in force when an application to license the vehicle again is made.* If you want to license a vehicle after it is five years old it is in your interest to ensure that you do not allow the licence to lapse before applying for a licence after the fifth anniversary of its registration.
- b) No vehicle, except a purpose built wheelchair accessible vehicle or minibus, aged over seven years old from the date of first registration, will be accepted for the renewal of its licence unless we consider it to be exceptionally well maintained.
- c) No purpose built wheelchair accessible vehicle or minibus, aged over ten years old from the date of first registration, will be accepted for the renewal of its licence unless we consider it to be exceptionally well maintained.

You should note that 'exceptionally well maintained' means, among other requirements, that you will need to produce a full service history showing that the vehicle has been correctly and regularly serviced by a reputable garage in accordance with the manufacturer's service specification.

This policy means that, if you come to renew this licence, and your vehicle is over seven years old (or ten years old if the vehicle is a purpose built wheelchair accessible vehicle or minibus), or you wish to replace this vehicle with another that is over five years old, you will need to produce the service records for the whole of the vehicle's history, including any time before it came into your possession. It is therefore in your interests to ensure that you obtain a record of full service history when you acquire a vehicle.

If you cannot produce the necessary documents your application will be referred to the Regulatory Committee, who could decide to refuse your application.

OFFICE USE ONLY

Date of Examination of Vehicle Pass/Fail

Windows Checked%

Remarks

Authorised Officer

Insurance Follow-up

Authorised Officer

1. Licence Requested

New Vehicle (white only)	<input type="checkbox"/>
Replacement Vehicle	<input type="checkbox"/>
Transfer to a New Proprietor	<input type="checkbox"/>

Please ensure that section 7 is completed

2. Vehicle Details

Plate No......

Make

Model

Registration No.

No. of Passenger Seats

Date of First Registration

Body Type

Engine Capacity

Colour

Windows Tinted Yes/No

Wheelchair Accessible Vehicle Yes/No

Name of Operating Company

3. Insurance Details

Insurance Company

Insurance Broker

Risks Covered

Named Drivers

Certificate/Cover Note No. Date of Expiry

(N.B. If a cover note is provided, successive cover notes, or a certificate will be required to be produced upon expiry)

4. Details of Vehicle Proprietor(s) (Your Details)

(Enter your designated contact for correspondence first)

Name (IN FULL)

Address

.....

.....

Tel. No.

E-Mail address

Name (IN FULL)

Address

.....

.....

Tel. No.

**Details of any additional proprietors must be given on a separate form
(For completion if proprietor is a company)**

Company Name (IN FULL).....

Address

.....

.....

Tel. No.

E-Mail address

TO BE COMPLETED BY ALL PROPRIETORS

5. Give details of any refusal, suspension or revocation of a Hackney Carriage or Private Hire Vehicle Licence by this or any other Licensing Authority

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6. Previous Convictions

Give details of any convictions (including road traffic convictions) (other than spent convictions as defined in the Rehabilitation of Offenders Act 1974)

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7. ONLY TO BE COMPLETED IF TRANSFERRING OWNERSHIP OF A LICENSED VEHICLE

The current licensee must endorse this form as indicated below

I(current licensee).....

hereby confirm that I give my consent to the transfer the ownership of the licensed vehicle

described overleaf to.....

Signed **Date**

(current licensee)

PLEASE NOTE: THIS TRANSFER CANNOT TAKE PLACE UNTIL WE RECEIVE THE CONSENT OF THE CURRENT LICENSEE.

DURATION OF VEHICLE LICENCES

OUR POLICY IS THAT A VEHICLE LICENSED ON ANY DATE IN A MONTH WILL BE AUTHORISED UNDER THAT LICENCE FOR THE REMAINDER OF THAT MONTH PLUS THE WHOLE OF THE FOLLOWING 11 CALENDAR MONTHS.

E.G. SHOULD A VEHICLE LICENCE COMMENCE ON 28 APRIL 2007 IT WILL EXPIRE ON 31 MARCH 2008.

PLEASE INFORM US WHEN SUBMITTING YOUR APPLICATION SHOULD YOU WISH A LICENCE TO COMMENCE ON THE 1ST OF THE FOLLOWING MONTH. YOU WILL THEN BE AUTHORISED FOR 12 COMPLETE CALENDAR MONTHS. PLEASE NOTE THE LICENCE FOR THE VEHICLE WILL THEN NOT BE VALID UNTIL THE 1ST DAY OF THE MONTH REQUESTED.

I DECLARE THAT I HAVE READ AND UNDERSTAND THE COUNCIL'S AGE POLICY IN RESPECT OF VEHICLES AND THEIR SERVICE HISTORY AND THAT I HAVE CHECKED THE INFORMATION GIVEN ON THE FORM AND TO THE BEST OF MY KNOWLEDGE IT IS CORRECT.

SIGNATURE(S) OF PROPRIETOR(S)..... DATE

..... DATE

The Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes

PLEASE BRING THE FOLLOWING WHEN SUBMITTING THIS FORM	OFFICE USE ONLY (documents copied/items checked)
Registration Document and/or Bill of Sale	
M.O.T. Certificate (where applicable)	
Cover Note/Certificate of Insurance	
Existing Vehicle Licence (Transfer/Replacement only)	
Transfer Fee	
Re-Test Fee	
Licence Fee	

OFFICE USE ONLY

Date Received Details Checked

Receipt No. Date of Issue

Local Government (Miscellaneous Provisions) Act 1976

Application for a Private Hire Vehicle Licence

YOUR COMPLETED APPLICATION MUST BE RETURNED TO ONE OF THE COUNCIL'S CUSTOMER SERVICES CENTRES LISTED ON THE ATTACHED SHEET. PLEASE REFER TO THIS SHEET IN RELATION TO THE PAYMENT METHODS AVAILABLE AT OUR CUSTOMER SERVICE CENTRES

PLEASE READ THIS NOTE

The Council has policies to ensure that vehicles are safe and suitable to be used as Hackney Carriages or Private Hire Vehicles.

- a) No vehicle aged over five years old, from the date of first registration, will be accepted for licensing unless we consider it to be exceptionally well maintained. *This policy applies even where the vehicle has been licensed previously but the previous licence, for whatever reason, is not in force when an application to license the vehicle again is made.* If you want to license a vehicle after it is five years old it is in your interest to ensure that you do not allow the licence to lapse before applying for a licence after the fifth anniversary of its registration.
- b) No vehicle, except a purpose built wheelchair accessible vehicle or minibus, aged over seven years old from the date of first registration, will be accepted for the renewal of its licence unless we consider it to be exceptionally well maintained.
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You should note that 'exceptionally well maintained' means, among other requirements, that you will need to produce a full service history showing that the vehicle has been correctly and regularly serviced by a reputable garage in accordance with the manufacturer's service specification.

This policy means that, if you come to renew this licence, and your vehicle is over seven years old (or ten years old if the vehicle is a purpose built wheelchair accessible vehicle or minibus), or you wish to replace this vehicle with another that is over five years old, you will need to produce the service records for the whole of the vehicle's history, including any time before it came into your possession. It is therefore in your interests to ensure that you obtain a record of full service history when you acquire a vehicle.

If you cannot produce the necessary documents your application will be referred to the Regulatory Committee, who could decide to refuse your application.

OFFICE USE ONLY

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Remarks

Authorised Officer

Insurance Follow-up

Authorised Officer

1. Licence Requested

New Vehicle (non-white only)	<input type="text"/>
Replacement Vehicle	<input type="text"/>
Transfer to a New Proprietor	<input type="text"/>

Please ensure that section 7 is completed

2. Vehicle Details

Plate No......

Make

Model

Registration No.

No. of Passenger Seats

Date of First Registration

Body Type

Engine Capacity

Colour

Windows Tinted Yes/No

Wheelchair Accessible Vehicle Yes/No

Name of Operating Company

3. Insurance Details

Insurance Company

Insurance Broker

Risks Covered

Named Drivers

Certificate/Cover Note No. Date of Expiry

(N.B. If a cover note is provided, successive cover notes, or a certificate will be required to be produced upon expiry)

4. Details of Vehicle Proprietor(s) (Your Details)

(Enter your designated contact for correspondence first)

Name (IN FULL)

Address

.....

.....

Tel. No.

E-Mail address

Name (IN FULL)

Address

.....

.....

Tel. No.

**Details of any additional proprietors must be given on a separate form
(For completion if proprietor is a company)**

Company Name (IN FULL).....

Address

.....

.....

Tel. No.

E-Mail address

TO BE COMPLETED BY ALL PROPRIETORS

5. Give details of any refusal, suspension or revocation of a Hackney Carriage or Private Hire Vehicle Licence by this or any other Licensing Authority

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Give details of any convictions (including road traffic convictions) (other than spent convictions as defined in the Rehabilitation of Offenders Act 1974)

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..... DATE

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M.O.T. Certificate (where applicable)	
Cover Note/Certificate of Insurance	
Existing Vehicle Licence (Transfer/Replacement only)	
Transfer Fee	
Re-Test Fee	
Licence Fee	

OFFICE USE ONLY

Date Received Details Checked

Receipt No. Date of Issue

Receipt No:

Amount

**HACKNEY CARRIAGE LICENCE
RENEWAL APPLICATION**

Proprietor
Address

Licence No
Registration No
Make/Model
Colour

The licence for the above-mentioned Hackney Carriage expires on **XXXXXXX**.

If you are not renewing the licence you must return the licence plate to the below-mentioned office following expiry of the licence. Failure to do so may result in prosecution.

If you wish to continue to use the vehicle for Hackney Carriage purposes after the expiry date you must apply for a new licence (**Applications must be made at least 14 days prior to the expiry of the current licence**).

PLEASE READ THIS NOTE

The Council has policies to ensure that vehicles are safe and suitable to be used as Hackney Carriages or Private Hire Vehicles.

- a) No vehicle aged over five years old, from the date of first registration, will be accepted for licensing unless we consider it to be exceptionally well maintained. *This policy applies even where the vehicle has been licensed previously but the previous licence, for whatever reason, is not in force when an application to license the vehicle again is made.* If you want to license a vehicle after it is five years old it is in your interest to ensure that you do not allow the licence to lapse before applying for a licence after the fifth anniversary of its registration.
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This policy means that, if you come to renew this licence, and your vehicle is over seven years old (or ten years old if the vehicle is a purpose built wheelchair accessible vehicle or minibus), or you wish to replace this vehicle with another that is over five years old, you will need to produce the service records for the whole of the vehicle's history, including any time before it came into your possession. It is therefore in your interests to ensure that you obtain a record of full service history when you acquire a vehicle.

If you cannot produce the necessary documents your application will be referred to the Regulatory Committee, who could decide to refuse your application.

YOU SHOULD APPLY IN PERSON AND SUBMIT**PLEASE TICK**

This completed renewal form	[]
Appropriate certificate of insurance	[]
Licence fee	[]

PLEASE STATE ANY CHANGE IN PROPRIETOR OR VEHICLE DETAILS IF APPLICABLE.

.....

Failure to produce any of the above may result in a delay in obtaining the new licence.

I declare that I have read and understand the Council's age policy in respect of vehicles and their service history and that I have checked the information given on the form and to the best of my knowledge it is correct.

The maximum penalty for making a false declaration is £1000.

Signature Date

NOTE

1. **Should you wish to cancel a test appointment, 24 hours notice is required. Failure to do so will result in a re-test fee being levied.**
2. **A licence comes into force the day it is dated except when it is issued in advance. In that case it takes effect from the day after the expiry of the previous licence. It is an offence to use an unlicensed Hackney Carriage.**

NOTES

Please note that the Town Police Clauses Act 1847 obliges the Council to maintain a register of hackney carriage licences. This register must contain the names and addresses of hackney carriage licence holders. We are obliged to make this register available for inspection upon receipt of a request from a member of the public.

Additionally, the Council may be required to release information should we receive a request made under the Freedom of Information Act 2000.

Receipt No:

Amount

**PRIVATE HIRE VEHICLE LICENCE
RENEWAL APPLICATION**

Proprietor
Address

Licence No
Registration No
Make/Model
Colour

The licence for the above-mentioned Private Hire vehicle expires on **XXXXXXX**.

If you are not renewing the licence you must return the licence plate to the below-mentioned office following expiry of the licence. Failure to do so may result in prosecution.

If you wish to continue to use the vehicle for Private Hire purposes after the expiry date you must apply for a new licence
(Applications must be made at least 14 days prior to the expiry of the current licence).

PLEASE READ THIS NOTE

The Council has policies to ensure that vehicles are safe and suitable to be used as Hackney Carriages or Private Hire Vehicles.

- a) No vehicle aged over five years old, from the date of first registration, will be accepted for licensing unless we consider it to be exceptionally well maintained. *This policy applies even where the vehicle has been licensed previously but the previous licence, for whatever reason, is not in force when an application to license the vehicle again is made.* If you want to license a vehicle after it is five years old it is in your interest to ensure that you do not allow the licence to lapse before applying for a licence after the fifth anniversary of its registration.
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- c) No purpose built wheelchair accessible vehicle or minibus, aged over ten years old from the date of first registration, will be accepted for the renewal of its licence unless we consider it to be exceptionally well maintained.

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If you cannot produce the necessary documents your application will be referred to the Regulatory Committee, who could decide to refuse your application.

YOU SHOULD APPLY IN PERSON AND SUBMIT

PLEASE TICK

This completed renewal form	[]
Appropriate certificate of insurance	[]
Licence fee	[]

PLEASE STATE ANY CHANGE IN PROPRIETOR OR VEHICLE DETAILS IF APPLICABLE.

.....

Failure to produce any of the above may result in a delay in obtaining the new licence.

I declare that I have read and understand the Council's age policy in respect of vehicles and their service history and that I have checked the information given on the form and to the best of my knowledge it is correct.

The maximum penalty for making a false declaration is £1000.

Signature Date

NOTE

1. **Should you wish to cancel a test appointment, 24 hours notice is required. Failure to do so will result in a re-test fee being levied.**
2. **A licence comes into force the day it is dated except when it is issued in advance. In that case it takes effect from the day after the expiry of the previous licence. It is an offence to use an unlicensed Private Hire Vehicle.**

Appendix 2

PRIVATE HIRE VEHICLE LICENCE

LICENCE NUMBER: XXX

SUNDERLAND CITY COUNCIL do hereby license a certain vehicle namely a **XXXXXXXXX**
Registration Number **XXXXXXXXX** belonging to

Name of Address

to be used as a **Private Hire Vehicle** in the said City subject to the provisions of the Local Government (Miscellaneous Provisions) Act 1976 and to the conditions set out below and in the attached schedule.

The Licence hereby granted shall be in force from **XXXXXX** until the **XXXXXX**

subject to the following conditions: -

This vehicle may carry a maximum of 4 passengers.

PLEASE RETAIN THE NOTE BELOW FOR YOUR INFORMATION

Please note that the Council has policies to ensure that vehicles are safe and suitable to be used as Hackney Carriages or Private Hire Vehicles. These include a policy which states that:

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If you cannot produce the necessary documents your application will be referred to the Regulatory Committee, who could decide to refuse your application.

Dated XXXXXXXX

Signed

On behalf of the Licensing Authority

All communications concerning this licence should be sent to Sunderland City Council, Licensing Section, Office of the Chief Executive, Jack Crawford House, Commercial Road, Sunderland SR2 8QR

HACKNEY CARRIAGE LICENCE

LICENCE NUMBER: XXX

SUNDERLAND CITY COUNCIL do hereby license a certain HACKNEY CARRIAGE namely a XXXXXXXX Registration Number XXXXXXXXXX belonging to

Name of Address

to ply for hire within the Sunderland licensing area or zone, subject to the provisions of the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and the conditions set out below and in the attached Schedule.

The said Hackney Carriage may wait or stand at the following Hackney Carriage ranks:

ALL RANKS WITHIN THE SUNDERLAND ZONE

The said Hackney Carriage is licensed to carry 7 persons.

PLEASE RETAIN THE NOTE BELOW FOR YOUR INFORMATION

Please note that the Council has policies to ensure that vehicles are safe and suitable to be used as Hackney Carriages or Private Hire Vehicles. These include a policy which states that:

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before it came into your possession. It is therefore in your interests to ensure that you obtain a record of full service history when you acquire a vehicle.

If you cannot produce the necessary documents your application will be referred to the Regulatory Committee, who could decide to refuse your application.

The Licence(s) hereby granted shall be in force from **XXXXXX 2013** until the **XXXXXX 2014**

Dated **12th day of February 2013**

Signed

On behalf of the Licensing Authority

All communications concerning this licence should be sent to Sunderland City Council, Licensing Section, Jack Crawford House, Commercial Road, Sunderland SR2 8QR.

Please note that the Town Police Clauses Act 1847 obliges the Council to maintain a register of hackney carriage licences. This register must contain the names and addresses of hackney carriage licence holders. We are obliged to make this register available for inspection upon receipt of a request from a member of the public.

Additionally, the Council may be required to release information should we receive a request made under the Freedom of Information Act 2000.

