

Council Guidelines with Regard to Age Limits on Vehicles Submitted for Licensing as Hackney Carriages and Private Hire Vehicles

1. Age Limits

The Council, in considering the suitability of vehicles for licensing as Hackney Carriage and Private Hire Vehicles has decided that no vehicle shall be licensed which: -

- (a) at the time of being first presented for licensing was first registered with the Driver and Vehicle Licensing Agency more than three years previously or in the case of a car first registered overseas is more than three years old or
- (b) is presented for re-licensing after five years since first being registered with the Driver and Vehicle Licensing Agency or from the date of manufacture in the case of cars first registered overseas.

(Exceptions to (a) and (b) can be made for certain vehicles on written application to the Council).

2. Application for Exemption

Applications for exemption must be made in writing and give reasons why the policy guidelines adopted by the Council should not be applied. The condition of the vehicle, although relevant, and in exceptional circumstances may be the sole reason for granting exemption, the guidelines will normally be applied unless the vehicle is of type which merits dispensation from the guidelines or is needed to provide a specialist service.

Such dispensation may, for instance, be granted in respect of a purpose built hackney carriage that is capable of carrying a wheelchair. Complete with occupant or a vintage limousine which is to be used on specialist private hire world. Exemptions will not normally be granted in respect of standard saloon type vehicles unless there are exceptional circumstances.

3. Procedure for Dealing with Application for Exemption

An application form together with the log book for the vehicle must be submitted together with written representations as to why exemption is claimed, the service records for the vehicle, dated photographs showing; interior and exterior views of the vehicle from four angles) both sides front and rear) and the engine compartment. An appointment will then be made for the Licensing Officer to inspect the vehicle. The purpose of this inspection is not to ascertain the mechanical condition of the vehicle but is intended to verify any claims made by the applicant with regard to the type and appearance of the vehicle. This may include condition of the upholstery, bodywork, cleanliness and general impression created by the appearance of the vehicle.

The Licensing Officer will then submit a written report to the Assistance Head of legal and Licensing for a decision on the principle of granting the licence. This decision may be exercised in accordance with powers delegated to by the Council. A decision may be taken

to refuse the licence in which case the applicant will be informed accordingly. If however the grant of the licence is approved in principle, the applicant will be required to submit the vehicle for mechanical inspection (this will probably involved the applicant obtaining, at their own expense, a report form the AA or RAC) and to comply with the normal requirements for granting a licence (i.e. submission of MoT certificate, insurance cover note and licence fee). The licence may still be refused if the mechanical condition of the vehicle is unsatisfactory or any legal formalities have not been satisfied.

Any licence granted by the Council may be subject to special conditions to take account of the age of the vehicle.

4. Appeal Procedure

Any person aggrieved by a refusal of the Council to grant a vehicle licence, or by any condition specified in such licence, may appeal to a magistrate's court. Applicants are notified of the time limit for submitting an appeal when an application is refused or when special conditions are attached to the licence. Appeals should be addressed to,
The Clerk to the Justices,
The Justices' Clerk's Office,
The Court House,
Station Approach,
Woking,
Surrey,
GU22 7YL