
APPLICATION FOR PRIVATE HIRE OPERATOR LICENCE

Purpose of Report

1. To invite Members to consider an application for a Private Hire Operator Licence in the light of the information contained within this report.

Information and Analysis

2. The schedule attached to this report as **Appendix 1** gives details of this application for a Private Hire Operator Licence.

Human Rights Act

3. When considering matters relating to the grant, revocation, renewal or refusal of licences and the placing of conditions on licences, the Committee must consider whether the decision affects an individual, group or company's Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition consideration must be given to whether the interference is proportionate.

Legal Implications

4. There are no issues that the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Crime and Disorder Act 1998 Section 17

5. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. .

Recommendation

6. Members are requested to determine whether or not the Private Hire Operator Licence in respect of Parkers Executive Chauffeurs (Teesside) Ltd should be granted and if so whether or not it should be subject to any conditions which are in addition to the standard conditions for Private Hire Operators or granted for a shorter period than the standard 12 month licence.

Richard Alty
Director of Place

Background Papers

- (i) The Local Government (Miscellaneous Provisions) Act 1976
- (ii) The Council's Private hire and Hackney Carriage Policy

Appendices

Appendix 1 Application for Private Hire Operator Licence, Parkers Executive Chauffeurs (Teesside) Ltd, Business Aviation Centre, Durham Tees Valley Airport, Darlington, DL2 1LU

Contact Officer: Pam Ross - Extension 388647

GENERAL LICENSING COMMITTEE
02 JULY 2013

Ref: 10/13

APPLICATION FOR PRIVATE HIRE OPERATOR LICENCE

ITEM FOR DECISION

APPLICANT PARKERS EXECUTIVE CHAUFFEURS (TEESSIDE) LTD

OPERATING NAME PARKERS EXECUTIVE CHAUFFEURS (TEESSIDE) LTD
AND BUSINESS AVIATION CENTRE, DURHAM TEES VALLEY
ADDRESS AIRPORT, DARLINGTON, DL2 1LU

PURPOSE OF REPORT: APPLICATION FOR PRIVATE HIRE OPERATOR
LICENCE

DATE OF 19 APRIL 2013
APPLICATION:

INFORMATION

Council Records show that in November 2012 an enquiry was received from Mr Brian Rudd in respect of the setting up of a specialist private hire company to offer a Chauffeur Service, operating out of Durham Tees Valley Airport. On 15 November 2012 the Principal Licensing Officer and a Licensing Enforcement Officer met with Mr Rudd and another Officer of the Company to discuss a potential application. The Company advised that they operated a similar business in Newcastle and further advised that they were considering the use of Mercedes vehicles in Darlington.

Advice was provided in respect of this Council's policies and conditions both in respect of the Private Hire Operator application and also applications for private hire drivers and vehicles and copies of the Council's Policy document in respect of all aspects of licensing were provided to the Company.

On 19 April 2013 an application was properly made for a Private Hire Operator Licence. This included insurance documentation and information in respect of planning consent. The Company requested that their application be dealt with speedily and were advised of the standard Council requirements as follows:

- The requirement for the Company Secretary and Managing Director to submit a standard criminal record not older than one month (unless either also held a hackney carriage or private hire driver licence with this Council)
- The requirement for both to successfully undertake a Private Hire Operator legislation test
- The requirement for all new applicants for a Private Hire Operator licence to have the initial application determined by the Licensing Committee.

These requirements are set out in the Council's Policy document which was last approved by Full Council on 26 January 2012 following extensive consultation with the taxi trade & other parties.

Officers explained to the Company's Officers that although it was their intention to operate a very specialised private hire business there was no differentiation in law and therefore the criteria for licensing would have to be met. Officers also advised of the benefits available on application for such specialised operations, such as the ability to receive an exemption from displaying vehicle identification plates.

On 28 May 2013 Mr Brian Rudd and Mr Simon Rudd both successfully undertook their legislation tests.

On 10 June 2013 standard disclosures were submitted in respect of criminal convictions. These showed that neither party had any criminal convictions or cautions

Officers understand that the service to be provided is executive chauffeur hire with top of the range vehicles. One of the Directors has advised officers that it is their intention to initially licence 3 Mercedes vehicles. At the time of writing this report he had recruited one female driver who is currently licensed with the Council and a male driver, who is a retired police officer, has also made an application for a licence.

It is the intention of the Company to commence the operation of the business immediately should they be granted a licence. They will operate in premises owned by Western Aviation at Durham Tees Valley Airport. The premises will not offer public access and bookings will be accepted by telephone or over the internet.

The company has advised that it already has a range of corporate clients and clients from government agencies and that it also engages in contracts with celebrity clients

The Local Government (Miscellaneous Provisions) Act 1976, at Section 55, states that a District Council shall **not** grant a licence unless they are satisfied that an applicant is a fit and proper person to hold a Private Hire Operator licence. .

Members are therefore invited to consider this application and determine the Applicant Company's suitability to be granted a licence. If Members are so satisfied the licence should be granted for a maximum one year period.in line with Council policy.

**COMMITTEE RESULTS FOR
ADMIN PURPOSES ONLY**

DATE OF COMMITTEE: 02 JULY 2013

GRANT/REFUSE / ADDITIONAL CONDITIONS

Reasons:

**Richard Alty
Director of Place**

Contact Officer: Pam Ross

388647