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Agenda

Notice of a public meeting of General Licensing and Registration

Sub-Committee

To: Councillors Joy Andrews, Tim Grogan and

Andy Paraskos.

Date: Thursday, 29 August, 2024

Time: 10.00 am

Venue: Ryedale House, Malton, YO17 7HH

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the named democratic services officer supporting this committee if you have any queries.

You may also be interested in <u>subscribing to updates</u> about this or any other North Yorkshire Council committee.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public. Please give due regard to the Council's protocol on audio/visual recording and photography at public meetings. Anyone wishing to record is asked to contact, prior to the start of the meeting, the named democratic services officer supporting this committee. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive.

Business

1. Election of Chair

To elect a Member to act as Chair of the meeting

- 2. Apologies for Absence
- 3. Disclosures of Interest

Councillors are invited to declare at this point any disclosable pecuniary interests they have in items appearing on this agenda, including the nature of those interests.

4. Procedure for Meeting

(Pages 3 - 4)

To confirm the procedure to be followed at the meeting.

5. Application for the renewal of a Hackney Carriage Vehicle Licence - HCV 003E

(Pages 5 - 16)

To receive a report from the Corporate Director of Environment.

Agenda Contact Officer:

Nicki Lishman, Senior Democratic Services Officer

Tel: 01653 638476

Email: democraticservices.east@northyorks.gov.uk

Wednesday, 21 August 2024



General Licensing and Registration Sub-Committee

Procedure

Introduction

- 1. The Sub-Committee will conduct its hearings fairly, observing the basic rules of natural justice.
- 2. Each hearing will take the form of a discussion led by the Chair and cross examination will not be permitted unless the Sub-Committee considers that cross examination is necessary.
- 3. Hearings will be held in public but the Sub-Committee may decide to exclude the public from all or part of a hearing where it considers the public interest in doing so outweighs the public interest in the hearing taking place in public. In this context "public" includes any party to the hearing or any representative of a party.

Procedure

- 4. At the beginning of the meeting the Chair shall:
 - a) ask those present to introduce themselves;
 - b) explain the procedure;
 - c) ask the parties whether they wish permission for another person to appear at the hearing.
- The Sub-Committee will consider requests from the parties for permission for other persons to appear at the meeting. Such permission will not be unreasonably withheld.
- 6. The Chair will conduct the hearing taking representations from the parties in the following order:
 - a) the Licensing Officer who will outline the background to the case. The Licensing Officer's role is to provide factual information to the Sub-Committee.
 - b) the applicant/licence holder (including any person appointed to represent the party or any other persons who have been given permission to assist the party).
 - any party making representations (including any person appointed to represent the party or any persons who have been given permission to assist the party).

- 7. Before determination, the applicant/licence holder will be given the final opportunity to address the Sub-Committee.
- 8. Each party will be given an equal maximum period of time in which to put forward any additional information requested by the Council, to question other persons (if given permission by the Sub-Committee) and address the Sub-Committee.
- 9. The Sub-Committee may exclude disruptive persons in certain circumstances.
- 10. The Sub-Committee may adjourn the hearing in certain circumstances.
- 11. The Sub-Committee will ask the parties to withdraw so that it can consider its determination. In considering its determination, the Sub-Committee may ask its Legal Advisor to provide it with legal and procedural advice. The nature of this advice will be notified to the parties.
- 12. The Sub-Committee will make its determination at the end of the meeting and this will be confirmed in writing.

Failure of Parties to Attend a Hearing

- 13. If a party has informed the Council that they do not intend to attend or be represented at a hearing, the hearing may proceed in their absence.
- 14. Where a party has not so indicated fails to attend or be represented at a hearing the Sub-Committee may:
 - a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
 - b) hold the hearing in the party's absence.
- 15. Where the hearing is held in the absence of a party, the authority shall consider at the hearing of the application, representation or notice made by that party.
- 16. Where a hearing is adjourned to a specified date the Council will notify the parties of the date, time and place to which the hearing has been adjourned.

April 2023

Agenda Item 5

North Yorkshire Council

General Licensing and Registration Sub-Committee

29 August 2024

Application for the renewal of a Hackney Carriage Vehicle Licence - HCV 003E

Report of the Corporate Director – Environment

1.0 PURPOSE OF REPORT

1.1 To consider an application for a hackney carriage vehicle licence that does not comply with the standard criteria as stated in the Council's Hackney Carriage and Private Hire Policy ("the Policy"). Such vehicles may be licensed at the discretion of the General Licensing and Registration Sub Committee.

2.0 BACKGROUND

- 2.1 An application for the renewal of a hackney carriage vehicle licence has been received from Mr Manolis Paterakis. The application form is attached at **Appendix A**.
- 2.2 As the vehicle is over 10 years of age it does not comply with the vehicle age criteria outlined in the Policy which requires vehicles to be less than 10 years old from the date of first registration.
- 2.3 Details of the vehicle are as follows:

Make: MERCEDES
Model: S320 CDI AUTO

Colour: BLACK First Registration: 01/09/2007

Mileage: 440,195 (as of 16 July 2024)

Fuel Type: DIESEL

Transmission: AUTO 7 GEARS

Engine Size: 2987 cc Co2 Emission 220 g/km

Ved Co2 Band K

- 2.4 As part of the application process, Officers can confirm that the vehicle passed an MOT test on 31 October 2023 with no failure or advisory notices. The vehicle also passed the Council's vehicle inspection on 16 July 2024 with no defects identified (vehicle inspection checklist attached at **Appendix B**).
- 2.5 Members are encouraged to view the vehicle prior to making their decision.

3.0 ALTERNATIVE OPTIONS CONSIDERED

3.1 All of the Sub-Committee's options are outlined in paragraph 10.0. No alternative options are available.

4.0 FINANCIAL IMPLICATIONS

4.1 No financial implications have been identified.

5.0 LEGAL IMPLICATIONS

5.1 The Licensing Authority must determine an application for the grant of a Hackney Carriage vehicle licence in accordance with relevant legislation and the Council's Policy. The Licensing Authority would leave itself open to appeal at the Magistrate's Court or judicial review should it not comply with all legal requirements.

6.0 EQUALITIES IMPLICATIONS

6.1 No equalities implications have been identified.

7.0 CLIMATE CHANGE IMPLICATIONS

7.1 No climate change implications have been identified.

8.0 POLICY IMPLICATIONS

- 8.1 In carrying out its licensing functions, the General Licensing and Registration Sub-Committee should have regard to the Council's Hackney Carriage and Private Hire Licensing Policy.
- 8.2 According to paragraph 8 of the Council's policy, the licensing regime should ensure that licensed hackney carriage and private hire vehicles are of high quality and accessible, offer safety and comfort to the users and operate in such a way as to protect the public's safety and well-being. Whilst facilitating access to an efficient and effective public transport service.
- 8.3 According to paragraph 15 of the Council's policy, the policy will be applied in the majority of cases when considering licence applications, but the licensing authority will consider each application on its individual merits and may, at times, allow exceptions to the general policy.
- 8.4 According to paragraph 16 of the Council's policy, it will be necessary to consider, in relation to any particular application, whether the specific circumstances justify allowing an exception.
- 8.5 According to paragraph 17 of the Council's policy, it will be up to the applicant to show that an exception should be made to the policy, and if the objectives can still be met, the licensing authority may exercise its discretion to depart from the general policy. Where exceptions are made, reasons will be given.
- 8.6 Paragraph 47 of the Council's policy outlines the hackney carriage vehicle specification which requires vehicles to be less than 10 years old (the age of the vehicle shall be taken from the date of first registration shown on the vehicle registration document, V5C). It goes on to state that the policy with regards to vehicle specification shall be applied in the majority of cases when considering licensing applications, but the licensing authority will consider each application on its individual merits and may, at times, allow exceptions to this policy. Where exceptions are made in this regard, vehicles shall be subject to three mechanical inspections each year.

9.0 REASONS FOR RECOMMENDATIONS

9.1 The vehicle does not comply with the standard criteria as stated in the Policy; therefore, the determination of the application rests with the Sub-Committee.

10.0 RECOMMENDATION(S)

- i) to grant the application.
- ii) to grant the application including additional conditions; or
- iii) to reject the application.

APPENDICES:

Appendix A – Application form Appendix B – Vehicle Inspection Report, MOT, and V5c

BACKGROUND DOCUMENTS:

North Yorkshire Council's Hackney Carriage & Private Hire Licensing Policy Department for Transport's Taxi and Private Hire Vehicle Licensing best practice guidance for licensing authorities in England (Updated 17 November 2023)

Karl Battersby Corporate Director – Environment County Hall Northallerton

8 August 2024

Report Author – John Wardell, Senior Licensing Enforcement Officer (East)

Presenter of Report – John Wardell, Senior Licensing Enforcement Officer (East)

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.





Application for Renewal of a Hackney Carriage or Private Hire Vehicle Licence

WARNING

It is an offence for the applicant to knowingly or recklessly make a false statement or to omit any material to obtain a licence. Such action will reflect on the suitability of the applicant to hold such a licence. Please read the questions carefully before completing the form.

Licence type	Hackney Carriage Vehicle Private Hire Vehicle
Do you intend to use the vehicle entirely or predominantly in North Yorkshire?	r Yes □ No
Registration number	
Licence plate number	HCV 003E
Make and model	MERCENES BENZS 320 CDI
Colour	BLACK
Date of first registration	2007
Are you currently licensed in any other locality in North Yorkshire?	☐ Yes – Please provide licence no

Please note that vehicles over the age of 10 years will not generally be licensed (unless they are wheelchair accessible). Any applications in respect of vehicles over 10 years should be accompanied by some supporting documentation to demonstrate that the specific circumstances of the case would warrant a departure from the Council's policy.

Number of passengers	4	
Meter make and model (if applicable)	DIGITAX FZ	
Name of private hire operator (private hire only)	NIA	

Name	Man	ols Palerakis
Address (including post code)		Y 0 6 0 7 PE
Email address		
Telephone number		
Date of birth		
		provide details of all directors or partners below
Director/Partner	Date of birth	Address and telephone number
		WIA
		110
		WH
		MA
SECTION 3 – ADDIT	IONAL PROPRIETO	DRS
ate the name and addre	ss of every person (inclu	
ate the name and addre	ss of every person (inclu	uding any limited company) who is a proprietor or part
ate the name and addre	ss of every person (incluicle or is concerned in the	uding any limited company) who is a proprietor or part e keeping, employing or letting on hire of the vehicle.
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SECTION 4 — DECL I have read and u declarations in rela	Date of birth ARATION Inderstood the implication to this application a	ading any limited company) who is a proprietor or particle keeping, employing or letting on hire of the vehicle. Address and telephone number A consort the warning regarding the making of false and confirm that to the best of my knowledge the
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Hackney Carriage and Private Hire Inspection YORKSHIRE Local Government (Miscellaneous Provisions) Act 1976 IMPORTANT: Read Standards of Inspection Overleaf **IMPORTANT: Read Standards of Inspection Overleaf**

Chassis No:	Inspection Form Reference	Inspection Form Reference:	
Vehicle Registration:	Make and Model: NOC S320 CO	Year of Manufacture:	Hackney carriage
Plate number:	Mileage: 440195m	Colour: BLACK	
Driver Name:	MANOUS.	Badge Number:	Private Hire

All hackney carriage and private hire vehicles must be maintained to no less than the standards set out in the VOSA publication 'MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing', ISBN 978-0-9549352-5-2. Failure to meet such standards would result in the inspection being failed. In addition, the inspection should be failed if any of the reasons overleaf apply.

Item Tested	Pass (*)	Lanl(x)	Reasons for Failure (see overleaf for guidance)
MOT			
MOT requirements			
Lighting Equipment			
Front and rear lamps			
Headlamps	/		
Stop lamps	1/		
Rear reflectors	/		
Direction indicators	V		
Steering and suspension			
Steering control	1		
Steering mechanism/system	V	1/4	
Power steering	/		
Transmission	V		
Wheel bearings	_/		
Front suspension	V		
Rear suspension	V		
Shock absorbers	V		
Brakes			
Controls/ABS warning system	V.		
Condition of service brake system	-	3	
Condition of parking brake system	V	THE WAY	
Service brake performance	V		
Parking brake performance	~		
Tyres and wheels			
Tyre type	,		
Tyre condition (including spare)	1/0		N/S/F 4 MM N/S/R 5.2 mm SPARE Gran
Tread Depth	VGOOD.		O/S/F GO MM O/S/R Z: C MM.
Road wheels		AND THE RESERVE	
Seat belts			
Mountings	1		
Condition	V		
General			
Driver's view of the road and mirrors	/		
Horn			
Exhaust system			
Fuel system	1/		
Exhaust emissions	1/		
Body interior	V.		
Luggage space	V		
First aid kit	V.		
Meter – test and seal	V.	Mark Comment	
Licence front and rear plates & doors	1,	Specify	
Roof sign & For Hire sign (HC only)	V.	N. Comment	
Body exterior			
Doors	V	· register	
Seats	V,		
Electrical wiring and equipment	V.		
Speedo	1/1	- 1	
Oil and water leaks	V		a second of the
Signage			
No Smoking signs on display?	1/	Page '	



Wheelchair accessible vehicles		5
Does the vehicle appear to be adapted to be wheelchair accessible?	Yes	(No)
If yes to the above, does the vehicle have a mechanical lift?	Yes	140

Item Tested	Standards of Inspection - Possible rea	sons for failure		
Lighting Equipment				
Front and rear lamps	Lights inoperable or of insufficient intensity.			
Headlamps	Incorrect bulbs fitted. Lamps not properly aligned. Lamp flickers when tapped lightly by hand.			
Stop lamps				
Rear reflectors				
Direction indicators	transport in the state of the s	A CHIEF TO A CONTRACT OF THE PARTY OF THE PA		
Steering and suspension				
Steering control				
Steering mechanism/system	Inoperable, worn or faulty steering or suspension. Jagged edges on steering wheel rim.			
Power steering				
Transmission				
Wheel bearings				
Front suspension		(25)		
Rear suspension	1,200			
Shock absorbers				
Brakes				
Controls/ABS warning system				
Condition of service brake system				
Condition of parking brake system	Any of the systems do not operate effectively and/or safe	ely.		
Service brake performance				
Parking brake performance				
Tyres and wheels				
Tyre type	Damaged, worn, substandard or otherwise illegal tyres.			
Tyre condition (including spare) -	Spare wheel, jack and wheelbrace (or manufacturers' alternative) not provided			
Road wheels	secured,			
Seat belts				
Mountings	Damaged, worn or incorrectly operating seatbelts.			
Condition	Insufficient scatbelts.			
General				
Driver's view of the road and mirrors	Loose, damaged, missing or defective mirrors.	the second second second		
Hom	Defective horn.	and the state of t		
Exhaust system	Missing, insecure or inadequate heat shield.			
Fuel system	Leaks, excessive wear, damaged or insecure pipes, missi	ing filler cap.		
Exhaust emissions	Excessive smoke emission.	The state of the s		
Body interior	Excessive corrosion/damage, staining, sharp edges.			
Luggage space	No separation from passenger seating area.			
First aid kit	First aid kit is missing or in a poor/contaminated condition	on.		
Meter - test and seal	Meter not linked to roof sign. Meter not scaled.			
Licence plates/door stickers	Damaged/illegible/insecure. Details do not match.			
Roof sign and For Hire sign	Insecure, insufficient illumination, wiring defects.			
Body exterior	Excessive corrosion/damage, poor repair/paint match, sharp edges.			
Doors	Defective locks, windows, door lights, damaged/missing door seals.			
Seats	Insecure seats or excessive dirt, stains, holes or tears.			
Electrical wiring and equipment	Evidence of overheating. Heavily contaminated with oil.			
Speedo	Speedometer inoperative or defective.			
Oil and water leaks	Evidence of oil or water leaks including sun roof/window	WS.		
1/ 40				
I hereby declare that the above vehicle:	*If the test is failed, please notify the relevant licensing office within 24 hours (identified by letter at end of	Garage name and address:		
meets the above standards	licence number i.e. 100E)	BINKS CLOSE		
does not meet the above standards	A licensing cra@northyorks.gov.uk B licensingteam ham@northyorks.gov.uk			
Retest date (if applicable):	C taxi.har@northyorks.gov.uk D licensing.ric@northyorks.gov.uk	Vehicle testing station number (VTS):		
Examiner's name:	E taxilicensing.rye@northyorks.gov.uk F licensing.services.sca@northyorks.gov.uk			
Signature:	G licensing sel@northyorks.gov.uk	Authorised examiner number:		
Date of Test: 6 7 94	Page 12	HUDS099.		

MOT test certificate

Vehicle identification number

WDD2210222A147666

Registration number

Country of registration

GB

Make and model

MERCEDES-BENZ S-Class

Vehicle category

Mileage

Mileage history

M1

430.114 miles

419,711 miles

22.07.2022

Driver & Vehicle Standards

414,680 miles

22.07.2021

404,260 miles 22.07.2020



Pass

3 Date of the test

® Expiry date

31.10.2023

30.10.2024

To preserve the anniversary of the expiry date, the earliest you can present your vehicle for test is 01.10.2024.

3 Location of the test

AIRDALE ROAD, KEIGHLEY, BD214LW

(9) Testing organisation and inspector name

V110258 SAVI AUTOCARE N. PAPATHANASIOU

MOT test number

4238 8597 6569

Check that this document is genuine by visiting www.gov.uk/check-mot-history

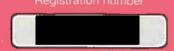
If any of the details are not correct, please contact DVSA by email at enquiries@dvsa.gov.uk or by telephone on 0300 1239000.

Receive a free annual MOT reminder by subscribing at www.gov.uk/mot-reminder or by telephone on 0300 1239000.













THIS DOCUMENT IS NOT PROOF OF OWNERSHIP.

It shows who is responsible for registering and taxing the vehicle.





An executive agency of the Department for **Transport**

European Community

свидетелство за регистрация
Permiso de circulación
Osvēdčeni o registraci
Registreringsattest
Zulassungsbescheinigung
Registreerimistunnistus

Αδεια κυκλοφορίας / Πιστοποιητικό Εγγραφής Certificat d'immatriculation Teastas Claraithe Carta di circolazione Registracijas aplieciba Registracijos kiudījimas Forgalmi engedely Čertifikat ta' Reģistrazzjoni Kentekenbewijs Dowod Rejestracyjny Certificado de matricula Certificat de înmatriculare Osvedčenie o evidencii Prometno dovoljenje Rekisterôintitodistus Registreringsbeviset

1. Registered keeper

1098704570 02369 13400

MANOLIS PATERAKIS

YORK YO60 7PE You <u>must</u> make sure that the name and address printed here is correct. If it is not, see section 12. Document reference number

2247 624 5424

Thinking of buying this vehicle?

Buyer beware...

Do you know how to avoid being tricked into buying a stolen vehicle?

For tips and advice go to www.direct.gov.uk/buyerbeware

The previous registered keeper

[Z.1] MR PETER BILLS,

CHISLEHURST, BR7 6LQ.

Z.2] ACQUIRED VEHICLE ON 27 11 2009

[Z] NO. OF FORMER KEEPERS 2

3. Special notes (these notes cannot be removed)

1. DECLARED NEW AT FIRST REGISTRATION.

