

North Yorkshire Council

General Licensing and Registration Sub-Committee

16 August 2024

PH100B – Application for renewal of Private Hire Vehicle Licence

Report of the Corporate Director – Environment

1.0 PURPOSE OF REPORT

- 1.1 This report asks the Sub-Committee to consider an application for the renewal of a private hire vehicle licence.

2.0 BACKGROUND

- 2.1 Stokesley Cars Ltd is the holder of a private hire vehicle licence (plate number PH100B) in respect of a Mercedes E class vehicle registration mark FP63 AVK. The vehicle has been licensed since 10 September 2019.
- 2.2 The current licence is due to expire on 31 August 2024. A copy of the current licence is attached at **Appendix A**.

3.0 APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE

- 3.1 A renewal application was lodged on 17 July 2024. Taxi journeys are authorised between the date of the application and the date of determination. Effectively, the applicant may exercise continuation rights until such time as a decision is made in relation to the renewal. A copy of the application form is attached at **Appendix B**.
- 3.2 All applicants are required to produce the following documents before a licence will be renewed:
- i) Proof that the licensing authority's testing arrangements have been satisfied; and
 - ii) A current vehicle insurance certificate or cover note which includes the carriage of passengers for public hire.
- 3.3 The applicant has produced the requisite documents identified in paragraph 3.2 and these have been deemed satisfactory by the Licensing Team.
- 3.4 A copy of the latest vehicle inspection test certificate is attached at **Appendix C**.
- 3.5 A copy of the last 4 MOT certificates have been supplied by the applicant and are attached at **Appendix D**.
- 3.6 The most recent data shows that, on 12 August 2023, the recorded mileage was 220,995.
- 3.7 According to the registration document, attached at **Appendix E**, the vehicle in question was first registered on 14 November 2013.
- 3.8 The applicant has also included photos of the vehicle, attached at **Appendix F**, and the vehicle will be made available on the day of the hearing for members to inspect.

3.9 The applicant has included an email in which he explains why he would like the vehicle to continue as a private hire vehicle attached at **Appendix G**.

4.0 ALTERNATIVE OPTIONS CONSIDERED

4.1 All of the Sub-Committee's options are outlined in paragraph 11.0.

5.0 FINANCIAL IMPLICATIONS

5.1 No financial implications have been identified.

6.0 LEGAL IMPLICATIONS

6.1 The applicant may appeal against the decision of the Sub-Committee if it decides not to grant the application. An appeal must be made to Magistrates Court within 21 days of receiving notification of the decision.¹.

7.0 EQUALITIES IMPLICATIONS

7.1 No equalities implications have been identified.

8.0 CLIMATE CHANGE IMPLICATIONS

8.1 No climate change implications have been identified.

9.0 POLICY IMPLICATIONS

9.1 In carrying out its licensing functions, the Sub-Committee should have regard to the Council's Hackney Carriage and Private Hire Licensing Policy.

9.2 In accordance with paragraph 47 of the policy, the Council imposes general 10-year age limits in respect of private hire vehicles. The vehicle in question surpassed the policy age limit over 8 months ago.

9.3 The Council's policy can (and is generally likely to) affect the outcome of the decision in most cases and this is entirely lawful. The policy is a means of securing a consistent approach to individual cases.

9.4 Each case must be considered in the light of the policy but not so that the policy automatically determines the outcome.

9.5 The policy allows for exceptions to be made by placing a requirement on the licensing authority to consider each application on its individual merits and to depart from the general policy where the specific circumstances of a case justify making an exception. The onus is on the applicant to demonstrate that any such exception should be made.

10.0 REASONS FOR RECOMMENDATIONS

10.1 The Sub-Committee must consider if the specific circumstances of the applicant's individual case justify making an exception from the general policy and take one of the steps outlined in paragraph 11.0.

¹ By virtue of section 7 of the Public Health Acts (Amendment) Act 1907

11.0 RECOMMENDATION(S)

- i) Grant the application; or
- ii) Refuse to renew the licence on the grounds of any reasonable cause.

APPENDICES:

Appendix A – Current Licence
Appendix B – Application
Appendix C – Vehicle inspection
Appendix D – MOT history
Appendix E – V5 registration document
Appendix F – Photos of PH100B
Appendix G – Email from applicant

BACKGROUND DOCUMENTS:

Hackney Carriage and Private Hire Licensing Policy

Karl Battersby
Corporate Director – Environment
County Hall
Northallerton
26 July 2024

Report Author – Sue Icton, Licensing Enforcement Officer
Presenter of Report – Sue Icton, Licensing Enforcement Officer

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