

North Yorkshire Council

General Licensing and Registration Sub-Committee 26 November 2024

Application for the renewal of a hackney carriage vehicle licence – HC025F

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 to renew a hackney carriage vehicle licence has been received from the proprietor, David Michael Harrison. The application form together with a statement in support of the application is attached at **Appendix A**.
- 2.2 As the vehicle is over ten years of age it does not comply with the vehicle age criteria outlined within the Policy which requires vehicles to be less than ten years old from the date of first registration. The vehicle was first licensed as a hackney carriage vehicle on 6 September 2016, and the current licence expired 31 October 2024.
- 2.3 Details of the vehicle are as follows:
- | | |
|---------------------|--------------------------------|
| Make: | Ford |
| Model: | Mondeo Titanium X BS ED TDCI A |
| Colour: | WHITE |
| First Registration: | 26/11/2013 |
| Mileage: | 225,138 (as at 04/10/2024) |
| Fuel Type: | DIESEL |
| Engine Size: | 1997 cc |
| Co2 Emission | 149 g/km |
- 2.4 As part of the renewal process, the vehicle must successfully pass the Council’s vehicle inspection. Officers can confirm that the vehicle passed its test on 4 October 2024.
- 2.5 Regarding the MOT history, the vehicle passed its most recent test on 18 September 2024, there were no advisories for this test. For the previous MOT the vehicle passed that MOT on 27 September 2023 (with two advisories). The testing history is attached at **Appendix B**.
- 2.6 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 Paragraph 8 of the Policy sets out the licensing authority's objectives which are:

- to encourage the provision of high quality and accessible hackney carriage and private hire services;
- to ensure the safety and comfort of users of hackney carriage and private hire services;
- to ensure the safety and wellbeing of the public affected by the operation of hackney carriage and private hire services; and
- to facilitate access to an efficient and effective public transport service.

8.3 Paragraph 15 of the Policy confirms 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 Paragraph 16 of the Policy confirms it will be necessary to consider, in relation to any particular application, whether the specific circumstances justify allowing an exception.

8.5 Paragraph 17 of the Policy confirms 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 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 and supporting statements.

Appendix B – Vehicle testing history and vehicle registration document.

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)

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6 November 2024

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Presenter of report – Alan Fane, Licensing Enforcement Officer

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