

North Yorkshire Council

General Licensing and Registration Sub-Committee

28 January 2025

HC027B – Application for Renewal of Hackney Carriage Vehicle Licence

Report of the Corporate Director – Environment, Karl Battersby

1.0 PURPOSE OF REPORT

- 1.1 This report asks the Sub-Committee to consider an application for the renewal of a hackney carriage vehicle licence. The application does not comply with the standard criteria as stated in the Council's Hackney Carriage and Private Hire Policy ("the Policy") in that the vehicle is over 10 years of age since first registration. Such vehicles may be licensed at the discretion of the General Licensing and Registration Sub Committee.

2.0 BACKGROUND

- 2.1 Arthur Bottomley is the holder of a hackney carriage vehicle licence (plate number HC027B) in respect of a Dacia Logan vehicle registration mark NU64 TDZ. The vehicle has been licensed since 01 December 2014.
- 2.2 The current licence is due to expire on 30 November 2024. A copy of the current licence is attached at **Appendix A**.

3.0 APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE LICENCE

- 3.1 A renewal application was lodged on 27 November 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.
 - iii) Confirmation the vehicle has a satisfactory MOT test certificate.
 - iv) The vehicle registration document (V5C)
 - v) A certificate of meter calibration
- 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 last 4 vehicle inspection test certificates are attached at **Appendix C**.
- 3.5 A copy of the last 4 MOT certificates are attached at **Appendix D**.
- 3.6 The most recent data shows that, on 26 November 2024, the recorded mileage was 280,914.

3.7 According to the registration document, attached at **Appendix E**, the vehicle in question was first registered on 31 October 2014 and is over 10 years old.

3.8 Details of the vehicle are as follows:

Make:	Dacia
Model:	Logan
Registration:	NU64 TDZ
Colour:	Blue
First Registration:	31 10 2014
Mileage:	280,914 (as of 26 th November 2024)
Fuel Type:	Diesel
Engine Size:	1461CC

3.9 The vehicle will be made available on the day of the Sub-Committee hearing for members to inspect.

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

6.2 The Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 requires that Hackney Carriage Vehicles are to be licensed.

6.3 Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 allows the local authority to attach any conditions that the district council may consider reasonably necessary to licence a vehicle for hackney carriage work.

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 hackney carriage vehicles. The vehicle in question surpassed the policy age limit over **29 days** ago.

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

- 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. Where exceptions are made in this regard, vehicles shall be subject to three mechanical inspections each year.

10.0 REASONS FOR RECOMMENDATIONS

- 10.1 The Council has a duty through the Hackney Carriage and Private Hire Licensing regime to protect the public. 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.

11.0 RECOMMENDATION(S)

- i) Grant the application; for a period of one year;
- ii) Grant the application for a period of one year with additional conditions; or 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

BACKGROUND DOCUMENTS:

Hackney Carriage and Private Hire Licensing Policy

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6 December 2024

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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.