

North Yorkshire Council

General Licensing and Registration Sub-Committee 27 March 2025

Application for the renewal of a hackney carriage vehicle licence – HC056F

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 the two proprietors. 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 on 18 March 2024, and the current licence expires 17 March 2025.
- 2.3 The vehicle was initially licensed as a private hire vehicle in 2018, however this licence was surrendered in 2024 when the applicant applied for a hackney carriage licence for the vehicle instead.
- 2.4 Details of the vehicle are as follows:
- | | |
|---------------------|--|
| Make: | Mercedes |
| Model: | E300 SE Bluetec Hybrid Auto |
| Colour: | BLACK |
| First Registration: | 21/03/2014 |
| Mileage: | 128,237 (see MOT pass-27 January 2025) |
| Fuel Type: | DIESEL/ELECTRIC HYBRID |
| Transmission | Automatic |
| Engine Size: | 2143 cc |
| Co2 Emission | 109 g/km |
- 2.5 As part of the renewal application process, the vehicle passed the Council's vehicle inspection on 27 January 2025 with no defects identified.
- 2.6 Regarding the MOT history, the test certificate expired on 25 January 2025. The MOT test that had been conducted on 17 January 2025 identified a major defect relating to the steering/suspension, this information was reported to Licensing resulting in the vehicle being suspended with immediate effect. Following repairs the vehicle passed its MOT test on 27 January 2025 with one advisory and the suspension was lifted.

2.7 The vehicle also failed several previous MOTs as follows; 24/01/2023-(one major defect & four advisories), 21/01/2022-(three major defects), 24/01/2020-(one major defect relating to 'tyre with ply or cords exposed' & three advisories).The MOT history is attached at **Appendix B**.

2.8 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 eight 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)

10.1 To grant the application.

10.2 To grant the application including additional conditions; or

10.3 To reject the application.

APPENDICES:

Appendix A – Application and additional supporting information.

Appendix B – Vehicle testing history.

Appendix C – 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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County Hall
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12 March 2025

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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.