

North Yorkshire Council

General Licensing and Registration Sub-Committee

30 September 2025

Application for the renewal of a Hackney Carriage Vehicle Licence – HCV 080E

Report of the Corporate Director – Environment

1.0 PURPOSE OF REPORT

- 1.1 To seek the determination by the Licensing Sub Committee of 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 John Phoenix. The application form is attached at **Appendix A**.
- 2.2 The vehicle exceeds the age limit set out in the Council's Licensing Policy, which states that vehicles must be less than 10 years old from the date of first registration.
- 2.3 Vehicle details:

Make:	Toyota
Model:	Auris Icon + Vvt-I Cvt
Colour:	Black
First Registration:	30/09/2014
Mileage:	163,320 (at time of MOT test)
Fuel Type:	Hybrid Electric
Transmission:	Automatic
Engine Size:	1797 cc
Co2 Emission	87 g/km
Ved Co2 Band	A

- 2.4 As part of the application process, officers can confirm that the vehicle underwent an MOT test on 02 July 2025, which it failed due to the following defects:

- **Do not drive until repaired (dangerous defects):**
 - i. Front Inner Brake pad(s) less than 1.5 mm thick (1.1.13 (a) (ii))
 - ii. Nearside Rear Tyre has ply or cords exposed (5.2.3 (d) (ii))
- **Repair immediately (major defects):**
 - i. Registration plate lamp inoperative in the case of a single lamp or all lamps (4.7.1 (b) (ii))
 - ii. Front Brake disc significantly and obviously worn (1.1.14 (a) (i))
 - iii. Offside Rear Suspension rod ball joint excessively worn front (5.3.4 (a) (i)) Additionally, an advisory was issued for the offside rear tyre being worn close to the legal limit and worn on the edge.

- 2.5 All defects were subsequently repaired, and the vehicle successfully passed a re-test on the same day. A copy of the vehicle's MOT testing history is provided in **Appendix B**.
- 2.6 The vehicle has undergone the Council's vehicle inspection which it passed. The inspection can be found at **Appendix C**.
- 2.7 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, 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, in most cases, when considering licence applications, the licensing authority will consider each application on its individual merits. It 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 According to Paragraph 47 of the Council's Policy, the licensing authority will only generally issue a licence in respect of a hackney carriage vehicle if it is 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). 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 form

Appendix B – MOT test history

Appendix C – Vehicle compliance test

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

12 September 2025

Report Author – Mark Heaton – Area Licensing Manager

Presenter of Report – John Wardell – Licensing Enforcement Officer

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