

North Yorkshire Council

General Licensing and Registration Sub-Committee

20 October 2025

HC124D – Application for grant of Hackney carriage 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 grant 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 Tony Lee is the applicant for a grant of a hackney carriage vehicle licence (plate number HC124D) in respect of a Toyota Avensis vehicle registration mark BK14 ENV.

3.0 APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE LICENCE

- 3.1 A grant application was lodged on 04 September 2025. A copy of the application is attached at **Appendix A**
- 3.2 All applicants are required to produce the following documents before a licence will be granted:
- 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 vehicle inspection test certificate is attached at **Appendix B**.
- 3.5 A copy of the MOT certificate is attached at **Appendix C**.
- 3.6 The most recent data shows that, on 11 August 2025, the recorded mileage was 236,550.
- 3.7 According to the registration document, the vehicle in question was first registered on 01 March 2014 and is over 10 years old. The registration document will be brought to committee and will be **Appendix D**.

3.8 Details of the vehicle are as follows:
Make: Toyota
Model: Avensis
Registration: BK14 ENV
Colour: Grey
First Registration: 01 March 2014
Mileage: 236,550 (as of 11 August 2025)
Fuel Type: Diesel
Engine Size: 1995CC

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

3.10 Mr Lee has provided a letter with his reasons the vehicle should be licensed, and these are attached at **Appendix E**, along with photos of the vehicle at **Appendix F**.

3.11 A vehicle check supplied by Mr Lee is 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 Crown 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. An appeal in relation to any attached conditions to the grant of a Hackney Carriage Licence, must be made to Magistrates Court within 21 days of receiving notification of the decision.

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.

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

- 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 on 02 March 2024.
- 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 RECOMMENDATIONS

- 11.1 Grant the application, for a period of one year;
- 11.2 Grant the application for a period of one year with additional conditions; or
- 11.3 Refuse to grant the licence on the grounds of any reasonable cause.

APPENDICES:

- Appendix A – Application
Appendix B – Vehicle inspection
Appendix C – MOT
Appendix D – **V5 Registration document**
Appendix E – Letter from Mr Lee
Appendix F – Photos of BK14 ENV
Appendix G – Vehicle check supplied by Mr Lee

BACKGROUND DOCUMENTS:

Hackney Carriage and Private Hire Licensing Policy

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08 October 2025

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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.