

E-mail: comsec@teignbridge.gov.uk

14 September 2021

LICENSING AND REGULATORY SUB-COMMITTEE

A meeting of the **Licensing and Regulatory Sub-Committee** will be held on **Wednesday, 22nd September, 2021** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors D Cox, Hayes (Vice-Chair) and Russell

Please Note: Filming is permitted during the Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the Council Chamber you are consenting to being filmed.

AGENDA

Part I

1. **Apologies (if any)**
2. **Minutes** (Pages 3 - 4)
To approve and sign the Minutes of the Licensing and Regulatory Sub-Committee held on 1 September 2021.
3. **Declarations of Interest (if any)**

4. **Request for a Hackney Carriage Vehicle Extension for a further 12 months - EY55 OUD** (Pages 5 - 20)
5. **Request for a Hackney Carriage Vehicle Extension for a further 12 months - LN55 YNM** (Pages 21 - 36)
6. **Request for a Hackney Carriage Vehicle Extension for a further 12 months - WR10 NUP** (Pages 37 - 50)
7. **Request for a Small Plate for Private Hire Vehicle - WJ71 SVR** (Pages 51 - 58)

If you would like this information in another format, please telephone 01626 361101 or e-mail info@teignbridge.gov.uk

LICENSING AND REGULATORY SUB-COMMITTEE**WEDNESDAY, 1 SEPTEMBER 2021**Present:

Councillors Bradford, Nutley (Chair) and Rollason

Officers in Attendance:

Licensing Officer
Legal Assistant

41. APOLOGIES FOR ABSENCE

No apologies for absence.

42. DECLARATIONS OF INTEREST (IF ANY)

No declarations of interest.

43. MINUTES

The Minutes of the meetings held on 19 July 2021, and 3 August 2021, were approved as a correct record and signed by the Chair.

44. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - SP58 YVM

On 1 September 2021, the Licensing and Regulatory Sub-Committee was asked to consider an application for a Hackney Carriage Vehicle Licence Extension for a Skoda Octavia vehicle registration SP58 YVM

The Sub-Committee noted the information provided by way of the report and heard representations from the Applicant. In particular it noted that the vehicle's MOT certificate (with one advisory) expires in September 2022. The Sub-Committee were informed that the vehicle passed its annual taxi inspection test (with one advisory) on 31 August 2021.

The Sub-Committee was satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

Decision

Accordingly, the Sub-Committee granted the 12 month Hackney Carriage Vehicle Licence Extension as detailed in the report subject to the condition that the vehicle

undergoes four monthly vehicle inspection tests due to the age of the vehicle and recorded mileage.

45. REQUEST FOR A SMALL PLATE FOR A PRIVATE HIRE VEHICLE - TXI 484

On 1 September 2021, the Licensing and Regulatory Sub-Committee was asked to consider an application for a small plate request for a Mercedes Vito vehicle registration TXI 484

The Sub-Committee noted the information provided by way of the report. In particular it noted that the vehicle is often hired by companies and individuals wanting a discreet service.

The Sub-Committee was satisfied that the vehicle was in a good and sound condition and that public safety and the Council's licensing responsibilities would not be compromised by the granting of the small plate.

Decision

Accordingly, the Sub-Committee granted the request for a small plate as detailed in the report due to the nature of work that the vehicle will be used for.

Cllr J NUTLEY
Chair

TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

22 September 2021

PART I

Report Title	Request for Hackney Carriage Vehicle Extension for further 12 months EY55 OUD, Black Volkswagen Sharan
Purpose	For the Committee to consider the request, including this report, representations made by the proprietor of the vehicle and to determine whether the vehicle is fit for purpose and should be issued with an extended licensing plate.
Applicant	Mr P Street
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for extension B: MOT history C: Photographs

1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 1 September 2005
Age of vehicle, if granted – 16 years old
Hackney Carriage licence expires – 24 September 2021

The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.

- 1.2 MOT expires – 7 January 2022 with no advisories.
- 1.3 Vehicle inspection booked at the Depot for 21 September – details to be provided at the hearing.
- 1.4 **Licensing Officer:**
Vehicle checked – 1 September 2021
Officer comments:
The interior is very clean and tidy. There are a few scratches to the nearside and offside paintwork and a couple of paint chips on the bonnet and grill. Advised to have these repaired.

Recommendation:

If the Committee resolves to license the vehicle, a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed.

2. RELEVANT POLICY AND LAW

- 2.1 Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that:

A vehicle being presented for initial licensing is required to be under five years old at first registration.

A vehicle being presented for subsequent licensing is required to be under 10 years old with the exception of purpose built cabs. The Council has discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that the vehicle is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six and four monthly testing'.

- 2.2 All vehicle licences are issued annually.

- 2.3 Section 43 of the Town Police Clauses Act 1847 provides that:

'Every licence so to be granted shall be under the common seal of the commissioners, if incorporated, or, if not incorporated, shall be signed by two or more of the commissioners, and shall not include more than one carriage so licensed, and shall be in force for one year only from the day of the date of such licence, or until the next general licensing meeting, in case any general licensing day be appointed by the commissioners' and

- 2.4 Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

'A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary'.

- 2.5 The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.

- 2.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009 after taking into account the views from the trade was as follows:

“The Committee decided that vehicles being presented for initial licensing must be under five years old.”

2.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose built cabs. However the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit.”

2.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

‘that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.’

2.9 In summary, the Committee is required to ensure that Public Safety is not compromised by the granting of an extension of the licence. If it is satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

3. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates’ Court.

4. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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Sent: 19 August 2021 12:51

To: Ext Mail: Licensing

Subject: EY55 OUD - H151 - Licensing and Regulatory Sub-Committee 22 September 2021

DAV:abstract:

Dear Committee Members

I would like for you to consider extending the Hackney license on my vehicle for one year. It is a Volkswagen Sharan in good condition, it is serviced every 10,000 miles. Its annual MOT is not due until 7 January 2022, it passed its previous MOT with no advisories. Its current Taxi license expires 24 September 2021, I will be booking a taxi test prior to the meeting.

Our vehicles are well maintained with our own mechanic. This ensures that they are serviced regularly and kept running efficiently. We also have our own wash facilities so that the vehicles can be cleaned inside and out each day. This prolongs the life of the upholstery and interior. As well as making sure the vehicle's exterior is checked each day.

The Coronavirus pandemic has had a catastrophic effect on my business. I do not believe that the taxi trade will resume back to normal for some time. I feel it would be a bad business decision to invest my money in a new or nearly new vehicle in these uncertain times, especially when in my opinion the vehicle that I already have is up to the standard of what is required of a Hackney Carriage.

Photos of the vehicle will be taken by licensing.

Many thanks
Claire Street

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Check MOT history (<https://www.gov.uk/check-mot-history>).

EY550UD

VOLKSWAGEN SHARAN

Colour
Black

Fuel type
Diesel

Date registered
1 September 2005

MOT valid until
7 January 2022

MOT history

Check mileage recorded at test, MOT expiry date, defects and advisories, and view test certificate

Date tested
16 December 2020

PASS

Mileage
200,204 miles

Test location

MOT test number
9001 8048 9517

Expiry date
7 January 2022

Date tested
28 June 2019

PASS

Mileage
169,053 miles

Test location

MOT test number
6500 1274 2630

Expiry date
7 January 2021

Monitor and repair if necessary (advisories):

- **Offside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**
- **Central Exhaust has a minor leak of exhaust gases (6.1.2 (a))**

Date tested
28 June 2018

PASS

Mileage
127,446 miles

Test location

MOT test number
1060 4352 0676

Expiry date
7 July 2019

Defects are now categorised according to their severity – dangerous, major, and minor.

Date tested
5 July 2017

PASS

Mileage
94,571 miles

Test location

MOT test number
7976 7775 8274

Expiry date
7 July 2018

Date tested
6 July 2016

PASS

Mileage
81,974 miles

Test location

MOT test number
4962 9545 3816

Expiry date
7 July 2017

Date tested
3 July 2015

PASS

Mileage
72,496 miles

Test location

MOT test number
7472 1478 5117

Expiry date
7 July 2016

Date tested
8 July 2014

PASS

Mileage
61,555 miles

Test location

MOT test number
2398 4928 4108

Expiry date
7 July 2015

Advisory notice item(s)

- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Nearside Lower Front suspension ball joint dust cover deteriorated, but preventing the ingress of dirt (2.4.G.2)**

Date tested
7 July 2014

FAIL

Mileage
61,555 miles

Test location

MOT test number
5759 2898 4135

Reason(s) for failure

- **Rear Exhaust has a major leak of exhaust gases (7.1.2)**

Advisory notice item(s)

- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**

- **Offside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Nearside Lower Front suspension ball joint dust cover deteriorated, but preventing the ingress of dirt (2.4.G.2)**

Date tested
26 June 2013

PASS

Mileage
51,452 miles

Test location

MOT test number
9570 5777 3165

Expiry date
7 July 2014

Date tested
6 July 2012

PASS

Mileage
42,761 miles

Test location

MOT test number
3367 1818 2148

Expiry date
7 July 2013

Advisory notice item(s)

- **Nearside Rear Tyre worn close to the legal limit (4.1.E.1)**
- **nearside rear tyre cracking on outer sidewall**
- **Spare tyre defective**

Date tested
8 July 2011

PASS

Mileage
37,867 miles

Test location

MOT test number
3780 0948 1154

Expiry date
7 July 2012

Date tested
7 July 2010

PASS

Mileage
33,609 miles

Test location

MOT test number
9802 3888 0121

Expiry date
7 July 2011

Advisory notice item(s)

- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Front Tyre worn close to the legal limit (4.1.E.1)**

Date tested
7 July 2009

PASS

Mileage
29,587 miles

Test location

MOT test number
9537 9828 9154

Expiry date
7 July 2010

Date tested
8 July 2008

PASS

Mileage
22,761 miles

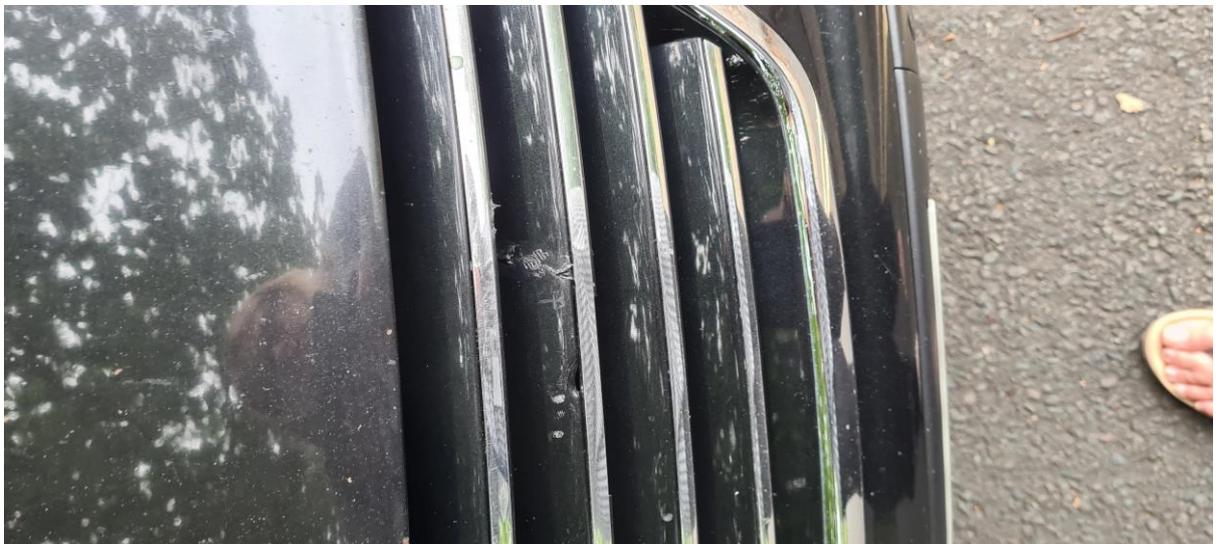
Test location

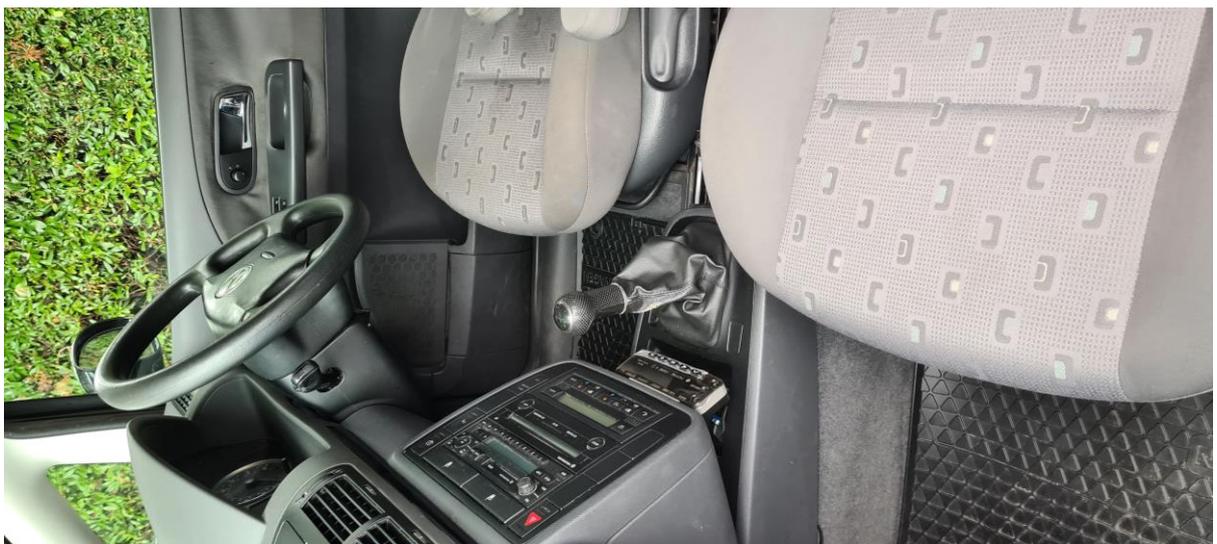
MOT test number
2704 4099 8168

Expiry date
7 July 2009

Outstanding vehicle recalls

Check if VOLKSWAGEN SHARAN EY55OUD has outstanding recalls











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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

22 September 2021

PART I

Report Title	Request for Hackney Carriage Vehicle Extension for further 12 months LN55 YNM, Silver Volkswagen Sharan
Purpose	For the Committee to consider the request, including this report, representations made by the proprietor of the vehicle and to determine whether the vehicle is fit for purpose and should be issued with an extended licensing plate.
Applicant	Mr P Street
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for extension B: MOT history C: Photographs

1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 1 September 2005
Age of vehicle, if granted - 16 years old
Hackney Carriage licence expires – 24 September 2021

The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.

- 1.2 MOT expires – 28 January 2022 with no advisories.
- 1.3 Vehicle inspection booked at the Depot for 21 September – details to be provided at the hearing.
- 1.4 **Licensing Officer:**
Vehicle checked – 8 September 21
Officer comments:
The vehicle is in excellent condition both internally and externally. There are no scratches, dents or chips on the bodywork.

Recommendation:

If the Committee resolves to license the vehicle, a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed.

2. RELEVANT POLICY AND LAW

- 2.1 Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that:

A vehicle being presented for initial licensing is required to be under five years old at first registration.

A vehicle being presented for subsequent licensing is required to be under 10 years old with the exception of purpose built cabs. The Council has discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that the vehicle is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six and four monthly testing'.

- 2.2 All vehicle licences are issued annually.

- 2.3 Section 43 of the Town Police Clauses Act 1847 provides that:

'Every licence so to be granted shall be under the common seal of the commissioners, if incorporated, or, if not incorporated, shall be signed by two or more of the commissioners, and shall not include more than one carriage so licensed, and shall be in force for one year only from the day of the date of such licence, or until the next general licensing meeting, in case any general licensing day be appointed by the commissioners' and

- 2.4 Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

'A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary'.

- 2.5 The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.

- 2.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009 after taking into account the views from the trade was as follows:

"The Committee decided that vehicles being presented for initial licensing must be under five years old."

2.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose built cabs. However the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit.”

2.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

‘that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.’

2.9 In summary, the Committee is required to ensure that Public Safety is not compromised by the granting of an extension of the licence. If it is satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

3. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates’ Court.

4. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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Sent: 19 August 2021 12:59

To: Ext Mail: Licensing

Subject: LN55 YNM - H152 - Licensing and Regulatory Sub-Committee 22 September 2021

DAV:abstract:

Dear Committee Members

I would like for you to consider extending the Hackney license on my vehicle for one year. It is a Volkswagen Sharan in good condition, it is serviced every 10,000 miles. Its annual MOT is not due until 28 January 2022, it passed its previous MOT with no advisories. Its current Taxi license expires 24 September 2021, I will be booking a taxi test prior to the meeting.

Our vehicles are well maintained with our own mechanic. This ensures that they are serviced regularly and kept running efficiently. We also have our own wash facilities so that the vehicles can be cleaned inside and out each day. This prolongs the life of the upholstery and interior. As well as making sure the vehicle's exterior is checked each day.

The Coronavirus pandemic has had a catastrophic effect on my business. I do not believe that the taxi trade will resume back to normal for some time. I feel it would be a bad business decision to invest my money in a new or nearly new vehicle in these uncertain times, especially when in my opinion the vehicle that I already have is up to the standard of what is required of a Hackney Carriage.

Photos of the vehicle will be taken by licensing.

Many thanks
Claire Street

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Check MOT history (<https://www.gov.uk/check-mot-history>).

LN55YNM

VOLKSWAGEN SHARAN

Colour
Silver

Fuel type
Diesel

Date registered
1 September 2005

MOT valid until
28 January 2022

MOT history

Check mileage recorded at test, MOT expiry date, defects and advisories, and view test certificate

Date tested
26 January 2021
PASS

Mileage
370,119 miles

MOT test number
1409 8561 7638

Test location

Expiry date
28 January 2022

Date tested
26 July 2019
PASS

Mileage
328,587 miles

MOT test number
8040 3440 9415

Test location

Expiry date
28 January 2021

Date tested
19 July 2018
PASS

Mileage
281,349 miles

MOT test number
1153 3255 6078

Test location

Expiry date
28 July 2019

Repair as soon as possible (minor defects):

- **Offside Front Brake hose slightly chafed (1.1.12 (b) (i))**

Monitor and repair if necessary (advisories):

- **engine oil leak**
- **Nearside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))**

- **Offside Front Brake disc worn, pitted or scored, but not seriously weakened (1.1.14 (a) (ii))**

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity – dangerous, major, and minor.

Date tested
28 July 2017
PASS

Mileage
245,379 miles

MOT test number
6758 0831 5623

Test location

Expiry date
28 July 2018

Date tested
27 July 2017
FAIL

Mileage
245,266 miles

MOT test number
1599 7552 3435

Test location

Reason(s) for failure

- **Nearside Front Road wheel cracked (4.2.A.1a)**
Dangerous
- **Nearside Front Tyre tread depth below requirements of 1.6mm (4.1.E.1)**
- **Nearside Front Upper Anti-roll bar linkage ball joint dust cover excessively damaged so that it no longer prevents the ingress of dirt (2.4.G.2)**
- **Nearside Front Macpherson strut has excessive movement at the upper attachment (2.5.A.1c)**
- **Nearside Front Subframe mounting prescribed area is excessively corroded (2.4.A.3)**
- **Offside Front Subframe mounting prescribed area is excessively corroded (2.4.A.3)**

Date tested
27 July 2016
PASS

Mileage
198,426 miles

MOT test number
9075 3524 8502

Test location

Expiry date
28 July 2017

Advisory notice item(s)

- **Windscreen has damage to an area less than a 10mm circle within zone 'A' (8.3.1a)**

Date tested
26 July 2016

Mileage
198,421 miles 28

MOT test number
5993 7993 4426

FAIL

Test location

Reason(s) for failure

- **Nearside Rear Brake hose ferrule excessively corroded inner (3.6.B.4e)**
- **Offside Rear Brake hose ferrule excessively corroded inner (3.6.B.4e)**
- **Offside Rear Tyre tread depth below requirements of 1.6mm (4.1.E.1)**
- **Nearside Front Lower Ball joint dust cover excessively deteriorated so that it no longer prevents the ingress of dirt (2.2.C.1c)**

Advisory notice item(s)

- **Windscreen has damage to an area less than a 10mm circle within zone 'A' (8.3.1a)**
- **Offside Front side light dull**
- **Offside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**

Date tested
27 July 2015

PASS

Mileage
175,808 miles

MOT test number
6597 5800 5265

Test location

Expiry date
28 July 2016

Date tested
29 July 2014

PASS

Mileage
168,127 miles

MOT test number
7657 7061 4289

Test location

Expiry date
28 July 2015

Advisory notice item(s)

- **Offside Front Brake pipe slightly corroded (3.6.B.2c)**
- **Offside Front constant velocity joint gaiter deteriorated, but preventing the ingress of dirt (2.5.C.1a)**
- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Rear Seat belt damaged but not affecting the operation of the belt (5.2.2a)**

Date tested
24 July 2014

FAIL

Mileage
168,127 miles

MOT test number
1782 2520 4229

Test location

Reason(s) for failure

- **Offside Headlamp aim too low (1.8)**
- **Offside Front position lamp(s) not working (1.1.A.3b)**
- **Nearside Rear Brake pipe excessively corroded (3.6.B.2c)**
- **Offside Rear Brake pipe excessively corroded (3.6.B.2c)**

Advisory notice item(s)

- **Offside Front Brake pipe slightly corroded (3.6.B.2c)**
- **Offside Front constant velocity joint gaiter deteriorated, but preventing the ingress of dirt (2.5.C.1a)**
- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**

Date tested
3 September 2013

PASS

Mileage
158,974 miles

MOT test number
1951 9644 3251

Test location

Expiry date
2 September 2014

Advisory notice item(s)

- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Windscreen has damage to an area less than a 10mm circle within zone 'A' (8.3.1a)**
- **Windscreen has damage to an area less than a 40mm circle outside zone 'A' (8.3.1d)**
- **Nearside Front Suspension arm has slight play in a ball joint (2.4.G.2)**

Date tested
18 July 2012

PASS

Mileage
142,813 miles

MOT test number
5083 8090 2265

Test location

Expiry date
28 July 2013

Date tested
17 July 2012

FAIL

Mileage
142,806 miles

MOT test number
6365 3989 2131

Test location

Reason(s) for failure

- **Offside Front Headlamp aim beam image obviously incorrect (1.8.A.1b)**
- **Offside Front Lower Suspension arm ball joint dust cover excessively damaged so that it no longer prevents the ingress of dirt (2.4.G.2)**
- **Nearside Front Lower Suspension arm ball joint dust cover excessively damaged so that it no longer prevents the ingress of dirt (2.4.G.2)**
- **Nearside Front Track rod end ball joint dust cover excessively damaged so that it no longer prevents the ingress of dirt (2.2.C.1c)**

Advisory notice item(s)

- **Tyre worn close to the legal limit (4.1.E.1)**
- **nearside rear tyre inner edge wearing uneven to the rest of the tyre**

Date tested
21 July 2011

PASS

Mileage
115,313 miles

Test location

MOT test number
3557 6250 1417

Expiry date
28 July 2012

Date tested
20 July 2010

PASS

Mileage
72,878 miles

Test location

MOT test number
8605 9170 0297

Expiry date
28 July 2011

Date tested
9 July 2009

PASS

Mileage
56,158 miles

Test location

MOT test number
7913 2089 9161

Expiry date
28 July 2010

Date tested
29 July 2008

PASS

Mileage
30,858 miles

Test location

MOT test number
8547 8121 8282

Expiry date
28 July 2009

Outstanding vehicle recalls

Check if VOLKSWAGEN SHARAN LN55YNM has outstanding recalls







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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

22 September 2021

PART I

Report Title	Request for Hackney Carriage Vehicle Extension for further 12 months WR10 NUP – Silver Kia Ceed
Purpose	For the Committee to consider the request, including this report, representations made by the proprietor of the vehicle and to determine whether the vehicle is fit for purpose and should be issued with an extended licensing plate.
Applicant	Miss N Cake
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for extension B: MOT history C: Photographs

1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 19 May 2010
Age of vehicle, if granted – 11 years and 4 months
Hackney Carriage licence expires – 28 September 2021

The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.

- 1.2 MOT expires – 21 September 2021 state following advisories:

Monitor and repair if necessary (advisories):

- Offside Rear Direction indicator slightly discoloured (4.4.3 (a))
- Nearside Front Side repeater slightly discoloured (4.4.3 (a))
- Front Brake disc worn, but not excessively both sides (1.1.14 (a) (i))
- Offside Rear Tyre worn close to legal limit/worn on edge worn on inner edge (5.2.3 (e))
- parking brake efficiency only just met requirement may require adjustment .

- 1.3 Vehicle inspection booked at the Depot for 20 September – details to be provided at the hearing.

1.5 **Licensing Officer:**

Vehicle checked – 7 September 2021

Officer comments.

Overall the vehicle is in good condition and very well kept. There are a couple of small chips from stones – one on the bonnet and one on the nearside front wing.

Recommendation:

If the Committee resolves to license the vehicle, a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed.

2. **RELEVANT POLICY AND LAW**

2.1 Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that:

A vehicle being presented for initial licensing is required to be under five years old at first registration.

A vehicle being presented for subsequent licensing is required to be under 10 years old with the exception of purpose built cabs. The Council has discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that the vehicle is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six and four monthly testing'.

2.2 All vehicle licences are issued annually.

2.3 Section 43 of the Town Police Clauses Act 1847 provides that:

'Every licence so to be granted shall be under the common seal of the commissioners, if incorporated, or, if not incorporated, shall be signed by two or more of the commissioners, and shall not include more than one carriage so licensed, and shall be in force for one year only from the day of the date of such licence, or until the next general licensing meeting, in case any general licensing day be appointed by the commissioners' and

2.4 Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

'A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary'.

2.5 The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle

if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.

- 2.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009 after taking into account the views from the trade was as follows:

“The Committee decided that vehicles being presented for initial licensing must be under five years old.”

- 2.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose built cabs. However the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit.”

- 2.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

‘that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.’

- 2.9 In summary, the Committee is required to ensure that Public Safety is not compromised by the granting of an extension of the licence. If it is satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

3. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates’ Court.

4. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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Regulatory and Appeals Committee

Dear Chairman and Councillors

I would like to appeal for an extension to my vehicle WR10 NUP a silver Kia Ceed, first registered 19th May 2010.

The licence is due to expire 28th September 2021. The vehicle is in good mechanical and physical condition. Due to Covid, the continuing decline in custom and high cost of replacing this vehicle with one that is under 5 years old I hope that the committee will look favourably upon my request.

Yours faithfully

Nicola Cake

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Check MOT history (<https://www.gov.uk/check-mot-history>).

WR10NUP

KIA CEED

Colour
Silver

Fuel type
Diesel

Date registered
19 May 2010

MOT valid until
21 September 2021

MOT history

Check mileage recorded at test, MOT expiry date, defects and advisories, and view test certificate

Date tested
24 August 2020

PASS

Mileage
138,479 miles

Test location

MOT test number
1314 4569 4575

Expiry date
21 September 2021

Monitor and repair if necessary (advisories):

- **Offside Rear Direction indicator slightly discoloured (4.4.3 (a))**
- **Nearside Front Side repeater slightly discoloured (4.4.3 (a))**
- **Front Brake disc worn, but not excessively both sides (1.1.14 (a) (i))**
- **Offside Rear Tyre worn close to legal limit/worn on edge worn on inner edge (5.2.3 (e))**
- **parking brake efficiency only just met requirement may require adjustment .**

Date tested
3 September 2019

PASS

Mileage
126,872 miles

Test location

MOT test number
5040 3780 3804

Expiry date
21 September 2020

Monitor and repair if necessary (advisories):

- **Nearside Rear Suspension arm pin or bush worn but not resulting in excessive movement trailing arm bush (5.3.4 (a) (i))**
- **Offside Rear Suspension arm pin or bush worn but not resulting in excessive movement trailing arm bush (5.3.4 (a) (i))**

Date tested
24 August 2019

FAIL

Mileage
126,500 miles

MOT test number
3624 7411 0040

Test location

Repair immediately (major defects):

- **Nearside Rear Parking brake inoperative on one side (1.4.1 (a))**

Monitor and repair if necessary (advisories):

- **Nearside Rear Suspension arm pin or bush worn but not resulting in excessive movement trailing arm bush (5.3.4 (a) (i))**
- **Offside Rear Suspension arm pin or bush worn but not resulting in excessive movement trailing arm bush (5.3.4 (a) (i))**

Date tested
22 September 2018

PASS

Mileage
114,694 miles

MOT test number
7831 7805 7079

Test location

Expiry date
21 September 2019

Monitor and repair if necessary (advisories):

- **rear Trailing arm bushes perishing**
- **Nearside Rear Service brake binding but not excessively (1.2.1 (f))**

Date tested
15 September 2018

FAIL

Mileage
114,374 miles

MOT test number
1141 9120 0418

Test location

Repair immediately (major defects):

- **Front Brakes imbalanced across an axle (1.2.1 (b) (i))**
- **Exhaust emissions exceed manufacturer's specified limit (8.2.2.2 (a))**
- **Offside Front Anti-roll bar linkage ball joint excessively worn (5.3.4 (a) (i))**

Monitor and repair if necessary (advisories):

- **rear Trailing arm bushes perishing**
- **Nearside Rear Service brake binding but not excessively (1.2.1 (f))**

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity – dangerous, major, and minor.

Date tested
6 September 2017

PASS

Mileage
100,233 miles

Test location

MOT test number
9622 0914 5444

Expiry date
21 September 2018

Advisory notice item(s)

- **Offside Rear Tyre worn close to the legal limit on 3mm (4.1.E.1)**

Date tested
4 September 2017

FAIL

Mileage
100,095 miles

Test location

MOT test number
4421 9386 8775

Reason(s) for failure

- **Nearside Front Upper Anti-roll bar linkage has excessive play in a ball joint (2.4.G.2)**
- **Offside Front Upper Anti-roll bar linkage has excessive play in a ball joint (2.4.G.2)**
- **Nearside Front Lower Suspension arm has excessive play in a ball joint (2.4.G.2)**

Advisory notice item(s)

- **Offside Rear Tyre worn close to the legal limit on 3mm (4.1.E.1)**

Date tested
9 September 2016

PASS

Mileage
86,207 miles

Test location

MOT test number
2393 6212 9902

Expiry date
21 September 2017

Advisory notice item(s)

- **Nearside Rear Suspension arm rubber bush deteriorated but not resulting in excessive movement (2.4.G.2)**

- **Offside Rear Suspension arm rubber bush deteriorated but not resulting in excessive movement (2.4.G.2)**
-

Date tested
11 September 2015

PASS

Mileage
69,757 miles

Test location

MOT test number
6690 8095 2078

Expiry date
21 September 2016

Date tested
22 September 2014

PASS

Mileage
53,242 miles

Test location

MOT test number
5954 3596 4295

Expiry date
21 September 2015

Date tested
9 May 2013

PASS

Mileage
48,125 miles

Test location

MOT test number
7597 6972 3117

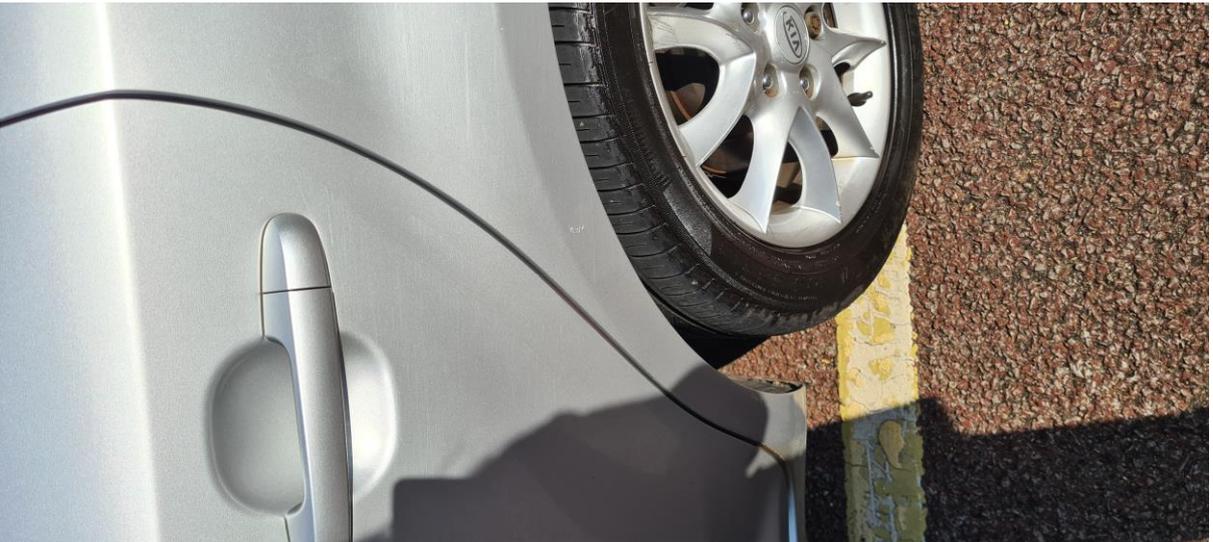
Expiry date
19 May 2014

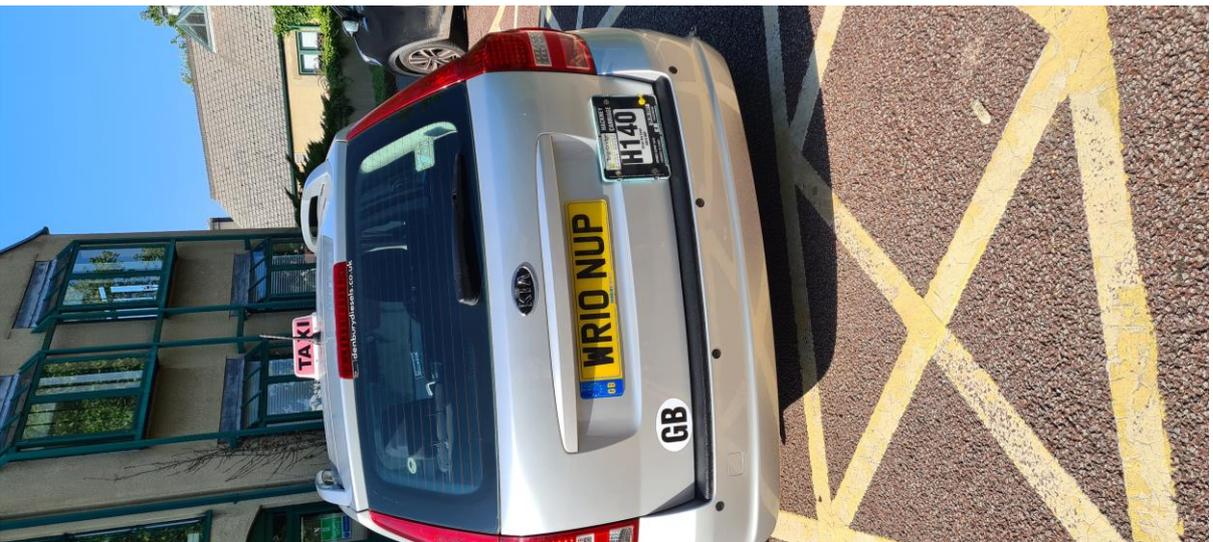
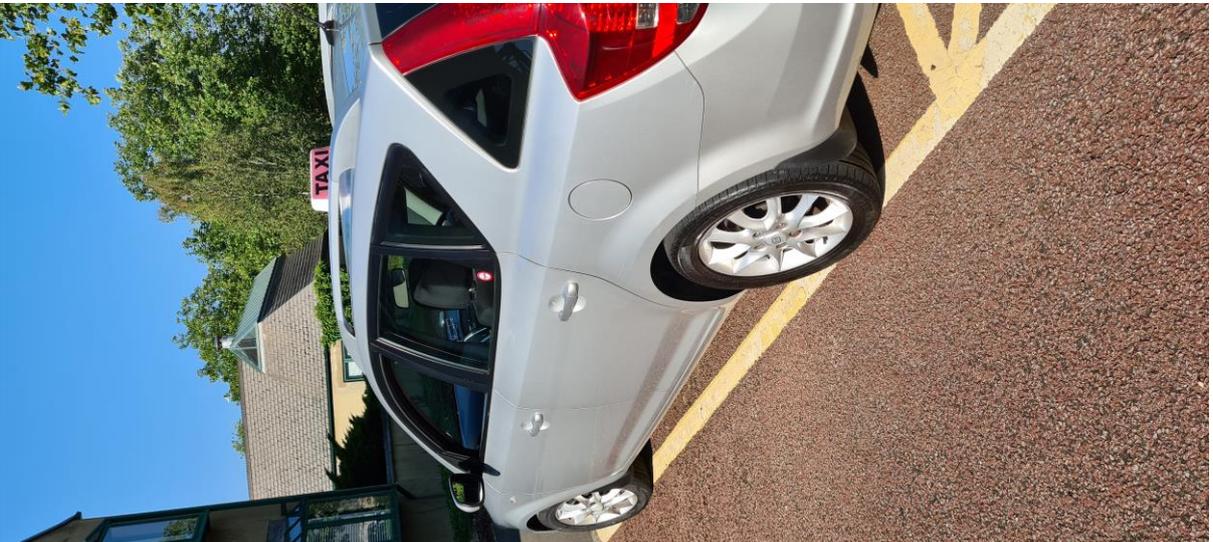
Outstanding vehicle recalls

Check if KIA CEED WR10NUP has outstanding recalls









TEIGNBRIDGE DISTRICT COUNCIL
LICENSING AND REGULATORY SUB COMMITTEE

22 SEPTEMBER 2021

PART I

Report Title	Request for a small plate for a private hire vehicle
Purpose	To consider approval for a small plate for a white Vauxhall Mokka-e, registration WJ71 SVR
Applicant	
Options	The Committee may: a. Grant the request to be used for executive hire. b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for small plate B: Sample plate C: Vehicle photographs

1. RELEVANT POLICY AND LAW

Section 48 (6)(a) of the Local Government (Miscellaneous Provisions) Act 1976 provides that

'Subject to the provisions of this Part of this Act, no person shall use or permit to be used in a controlled district as a private hire vehicle in respect of which a licence has been granted under this section unless the plate or disc issued in accordance with subsection (5) of this section is exhibited on the vehicle in such manner as the district council shall prescribe by condition attached to the grant of the licence.'

The Council's requirement for the display of licence plates on the rear of licensed vehicles is set out in the Hackney Carriage and Private Hire Licensing Policy, at paragraph 9.4 on page 27.

'9.4 Licence Plates

The licensing plate identifying the vehicle as Hackney Carriage or Private Hire shall be securely fixed to the outside rear of the vehicle in a position as approved by the Council whilst the vehicle is being used for hire purposes and shall be kept fully visible and legible at all times.

A vehicle identification badge shall be fixed to the front windscreen in a position that meets current MOT regulations. The badge will display the plate number,

vehicle model, registration and number of passengers on the front face with the Council's details and plate number on the rear.'

Small plates have previously been granted for specialist vehicles when the main use has been for weddings and special occasions. The removal of a plate from a licensed vehicle is not permitted at any time.

2. APPLICATION DETAILS

- 2.1 The applicant has requested a replacement of the traditional size plate with the smaller plate due to the nature of the work undertaken - see Appendix A). A sample small plate is at Appendix B.

3. MAIN IMPLICATIONS

- 3.1 The main implication is that the plate is a visual aid for the members of the public to show that it is a licensed vehicle. The standard size plate is 240mm x 180mm and the smaller plate requested is 230mm x 75mm.

4. FINANCIAL IMPLICATIONS

None.

Hello,

I write to request a consideration for committee to grant a executive plate for P484, WJ71SVR. I ask for this due to it being a brand new vehicle and having personal use on it, also out business is prominently private hire executive airport transfers and work on behalf of Devon County council for SEN children etc which means its much nicer for them to ride in a vehicle which is more discrete. I have attached photos of said vehicle for your consideration.

kind regards
Chris Smith

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Teignbridge
DISTRICT COUNCIL
South Devon

PRIVATE HIRE

VEHICLE DESCRIPTION:

REGISTRATION NO:

EXPIRY DATE:

LICENSED TO CARRY:

Printed: 21 FEB 2020 M4 SILVER

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