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24 March 2023

## LICENSING AND REGULATORY SUB-COMMITTEE

A meeting of the **Licensing and Regulatory Sub-Committee** will be held on **Monday, 3rd April, 2023** in the **Conference Room, Teignbridge Business Centre, Cavalier Road, Heathfield, Newton Abbot, Devon, TQ12 6TZ** at **10.00 am**

PHIL SHEARS  
Managing Director

### **Membership:**

Councillors D Cox, Kerswell and J Petherick

**Please Note:** Filming is permitted during 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 meeting room you are consenting to being filmed.

## **A G E N D A**

### **Part I**

1. **Apologies**
2. **Election of Chair**  
To elect a Chair for the duration of the meeting.
3. **Declarations of Interest (if any)**
4. **Minutes** (Pages 3 - 4)  
To approve and sign the Minutes of the meeting held on 6 March 2023.

5. **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

Should the Committee wish to exclude the press and public during consideration of the items on this agenda, the following resolution should be passed:-

**RECOMMENDED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting of the particular item(s) on the grounds that it involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A of the Act.

6. **Request for Hackney Carriage Vehicle Extension for further 12 months - CV11 AXN** (Pages 5 - 30)
7. **Request for Hackney Carriage Vehicle Extension for further 12 months - FY61 XHR** (Pages 31 - 58)
8. **Request for Hackney Carriage Vehicle Extension for further 12 months - RE11 KFJ** (Pages 59 - 98)
9. **Request for a small plate for a private hire vehicle - FH68 BMZ** (Pages 99 - 110)
10. **Request for Private Hire Vehicle Extension for further 12 months - KLZ 1117** (Pages 111 - 138)
11. **Request for a small plate for a private hire vehicle - EXZ 199** (Pages 139 - 148)
12. **Application for a New Premises Licence – Woodland Café and Yurt Camp** (Pages 149 - 200)

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

## **LICENSING AND REGULATORY SUB-COMMITTEE**

**MONDAY, 6 MARCH 2023**

Present:

Councillors Goodman-Bradbury (Vice-Chair), Rollason and Russell

Officers in Attendance:

Licensing Officer

Legal Assistant

**37. APOLOGIES**

None.

**38. DECLARATIONS OF INTEREST (IF ANY)**

None.

**39. MINUTES**

The Minutes of the Meeting held on 8 February 2023 were approved as a correct record and signed by the Chair.

**40. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - OV62 YPG**

The Licensing and Regulatory Sub-Committee considered an application for a Hackney Carriage Vehicle Licence Extension for a Mercedes Benz vehicle registration OV62 YPG.

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires on 4 February 2024, with three advisories. The Sub-Committee were informed that the vehicle passed its annual taxi inspection retest on 1 March 2023 following works being completed.

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 with 4 monthly vehicle inspections due to the age of the vehicle.

Cllr L Goodman-Bradbury  
Chair

**TEIGNBRIDGE DISTRICT COUNCIL**

**LICENSING AND REGULATORY SUB COMMITTEE**

**3 April 2023**

**PART I**

<b>Report Title</b>	<b>Request for Hackney Carriage Vehicle Extension for further 12 months</b> CV11 AXN Blue Ford Mondeo
<b>Purpose</b>	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.
<b>Applicant</b>	Mr P Shapley
<b>Options</b>	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
<b>Report Author</b>	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
<b>Appendices / Background Papers</b>	A: Request for extension B: MOT history C: Photographs

**1. APPLICATION DETAILS**

- 1.1 Vehicle first registered – 30 March 2011  
Age of vehicle, if granted - 12 years  
Hackney Carriage licence expires – 6 April 2023

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 on 28 March 2024 with no advisories.
- 1.3 Vehicle inspection booked at the Depot on 31 March 2023 – details to be provided at the hearing.
- 1.4 **Licensing Officer:**  
Vehicle checked -

At the time of writing this report the vehicle had not been inspected by a licensing officer.

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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Sun 05/03/2023 08:00

I Peter Shapley would like to request the Committee to consider an extension, on Cv11axn.  
The car is well maintained, with regular servicing. It is clean and tidy inside and out.

Kind regards

P Shapley

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## Check MOT history

This is a new service – [Complete a quick survey](https://www.smvrm=CV11AXN&make_result=FORD&model_result=MONDEO&mot_fi30&vehicle_age=4374&mot_expiry_date=2024-03-28&mot_expiry_date_days_left=373&user_satisfaction_banner=0&veh) (https://www.smvrm=CV11AXN&make\_result=FORD&model\_result=MONDEO&mot\_fi30&vehicle\_age=4374&mot\_expiry\_date=2024-03-28&mot\_expiry\_date\_days\_left=373&user\_satisfaction\_banner=0&veh) to help us improve.

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[< Back](#)

**CV11 AXN**

**FORD MONDEO**

[Check another vehicle \(/\)](#)

Colour

**Blue**

Fuel type

**Diesel**

Date registered

**30 March 2011**

MOT valid until

**28 March 2024**

[Get an MOT reminder \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder) by email or text.

[Download test certificates \(/enter-v5c?registration=CV11AXN\)](/enter-v5c?registration=CV11AXN)

If you think the MOT expiry date or any of the vehicle details are wrong: [contact DVSA \(https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes\)](https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes).

 [Show all sections](#)

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## MOT history

Check mileage recorded at test, expiry date, and test outcome

 [Hide](#)

Date tested

**20 March 2023**

**PASS**

Mileage

**299,964 miles**

Test location

 [View test location](#)

MOT test number

**1905 2959 9834**

Expiry date

**28 March 2024**

---

Date tested

20 March 2023

**FAIL**

Mileage

**299,964 miles**

Test location

▶ [View test location](#)

MOT test number

**9873 9001 1453**

Repair immediately (major defects):

- **Nearside Front Track rod end ball joint has excessive play (2.1.3 (b) (i))**
- **Registration plate lamp inoperative in the case of a single lamp or all lamps (4.7.1 (b) (ii))**

▶ [What are defects?](#)

---

Date tested

**17 March 2022**

**PASS**

Mileage

**268,083 miles**

Test location

▶ [View test location](#)

MOT test number

**4936 7682 8108**

Expiry date

28 March 2023

---

Date tested

16 March 2022

**FAIL**

Mileage

268,083 miles

Test location

▶ [View test location](#)

MOT test number

4335 7672 6612

Do not drive until repaired (dangerous defects):

- **Nearside Rear Tyre tread depth below requirements of 1.6mm (5.2.3 (e))**

Repair immediately (major defects):

- **Nearside Front Position lamp not working (4.2.1 (a) (ii))**
- **Offside Front Position lamp not working (4.2.1 (a) (ii))**
- **Rear Registration plate lamp inoperative in the case of a single lamp or all lamps (4.7.1 (b) (ii))**
- **Nearside Front All direction indicators incorrect colour (4.4.3 (a))**
- **Offside Front All direction indicators incorrect colour (4.4.3 (a))**
- **Offside Rear Suspension arm pin or bush excessively worn (5.3.4 (a) (i))**

▶ [What are defects?](#)

---

Date tested

29 March 2021

# PASS

Mileage

**248,695 miles**

Test location

▶ [View test location](#)

MOT test number

**8779 7263 9130**

Expiry date

**28 March 2022**

Monitor and repair if necessary (advisories):

- **Nearside Front Wheel bearing slightly noisy (5.1.3 (b) (i))**
- **Nearside Rear Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Offside Rear Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**

▶ [What are advisories?](#)

---

Date tested

**29 March 2021**

# FAIL

Mileage

**248,695 miles**

Test location

▶ [View test location](#)

MOT test number

**7847 7846 4957**

Repair immediately (major defects):

- **Offside Front Position lamp not working (4.2.1 (a) (ii))**
- **Offside Front Upper Anti-roll bar linkage ball joint dust cover no longer prevents the ingress of dirt (5.3.4 (b) (ii))**

Monitor and repair if necessary (advisories):

- **Nearside Front Wheel bearing slightly noisy (5.1.3 (b) (i))**
- **Nearside Rear Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Offside Rear Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Rear exhaust mount broken**
- **Front number plate in poor state**

▶ [What are defects and advisories?](#)

---

Date tested

**18 June 2020**

**PASS**

Mileage

**247,944 miles**

Test location

▶ [View test location](#)

MOT test number

**1856 0883 2463**

Expiry date

**17 June 2021**



Monitor and repair if necessary (advisories):

- **Front number plate in poor state**

▶ [What are advisories?](#)

---

Date tested

**4 June 2020**

**FAIL**

Mileage

**247,944 miles**

Test location

▶ [View test location](#)

MOT test number

**7129 5887 9084**

Repair immediately (major defects):

- **Nearside Front Position lamp not working (4.2.1 (a) (ii))**
- **Nearside Front Anti-roll bar linkage ball joint dust cover no longer prevents the ingress of dirt (5.3.4 (b) (ii))**

Repair as soon as possible (minor defects):

- **Nearside Rear Registration plate lamp inoperative in the case of multiple lamps or light sources (4.7.1 (b) (i))**

Monitor and repair if necessary (advisories):

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

- **Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Offside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**
- **Front number plate in poor state**

▶ [What are defects and advisories?](#)

---

Date tested

**27 March 2019**

**PASS**

Mileage

**222,087 miles**

Test location

▶ [View test location](#)

MOT test number

**1867 8664 4383**

Expiry date

**4 June 2020**

Monitor and repair if necessary (advisories):

- **Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Oil leak, but not excessive (8.4.1 (a) (i))**

▶ [What are advisories?](#)

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## **The MOT test changed on 20 May 2018**

Defects are now categorised according to their severity - dangerous, major, and minor. [Find out more](#)

(<https://www.gov.uk/government/news/mot-changes-20-may-2018>).

---

Date tested

**27 March 2018**

**PASS**

Mileage

**180,966 miles**

Test location

▶ [View test location](#)

MOT test number

**2249 0434 9269**

Expiry date

**1 April 2019**

---

Date tested

**22 March 2017**

**PASS**

Mileage

**139,966 miles**

Test location

▶ [View test location](#)

MOT test number

**8639 8775 1589**

Expiry date

**1 April 2018**

Advisory notice item(s)

- **front brake discs wearing thin**
- **rear brake discs wearing thin**
- **Rear Brake pad(s) wearing thin (3.5.1g)**
- **Nearside Rear Anti-roll bar linkage has slight play in a ball joint (2.4.G.2)**

▶ [What are advisories?](#)

---

Date tested

**2 April 2016**

**PASS**

Mileage

**101,298 miles**

Test location

▶ [View test location](#)

MOT test number

**9849 3003 7320**

Expiry date

**1 April 2017**

Advisory notice item(s)

- **Rear Brake pad(s) wearing thin (3.5.1g)**
- **Nearside Rear Trailing arm rubber bush deteriorated but not resulting in excessive movement (2.4.G.2)**
- **Offside Rear Trailing arm rubber bush deteriorated but not resulting in excessive movement (2.4.G.2)**

▶ [What are advisories?](#)

---

Date tested  
**20 March 2015**

**PASS**

Mileage  
**58,107 miles**

Test location

▶ [View test location](#)

MOT test number  
**1872 3917 5427**

Expiry date  
**30 March 2016**

---

Date tested  
**28 March 2014**

**PASS**

Mileage  
**42,990 miles**

Test location

▶ [View test location](#)

MOT test number  
**3763 2798 4032**

Expiry date  
**30 March 2015**

---

## Check for vehicle recalls

See if FORD MONDEO CV11AXN has outstanding recalls

[Show](#)

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[Cookies](#) [Terms and conditions](#)

[Privacy notice](#)

[Accessibility statement](#)

[MOT history API](#) [Service status](#)

Built by the [Driver & Vehicle Standards Agency](#).

**OGI**

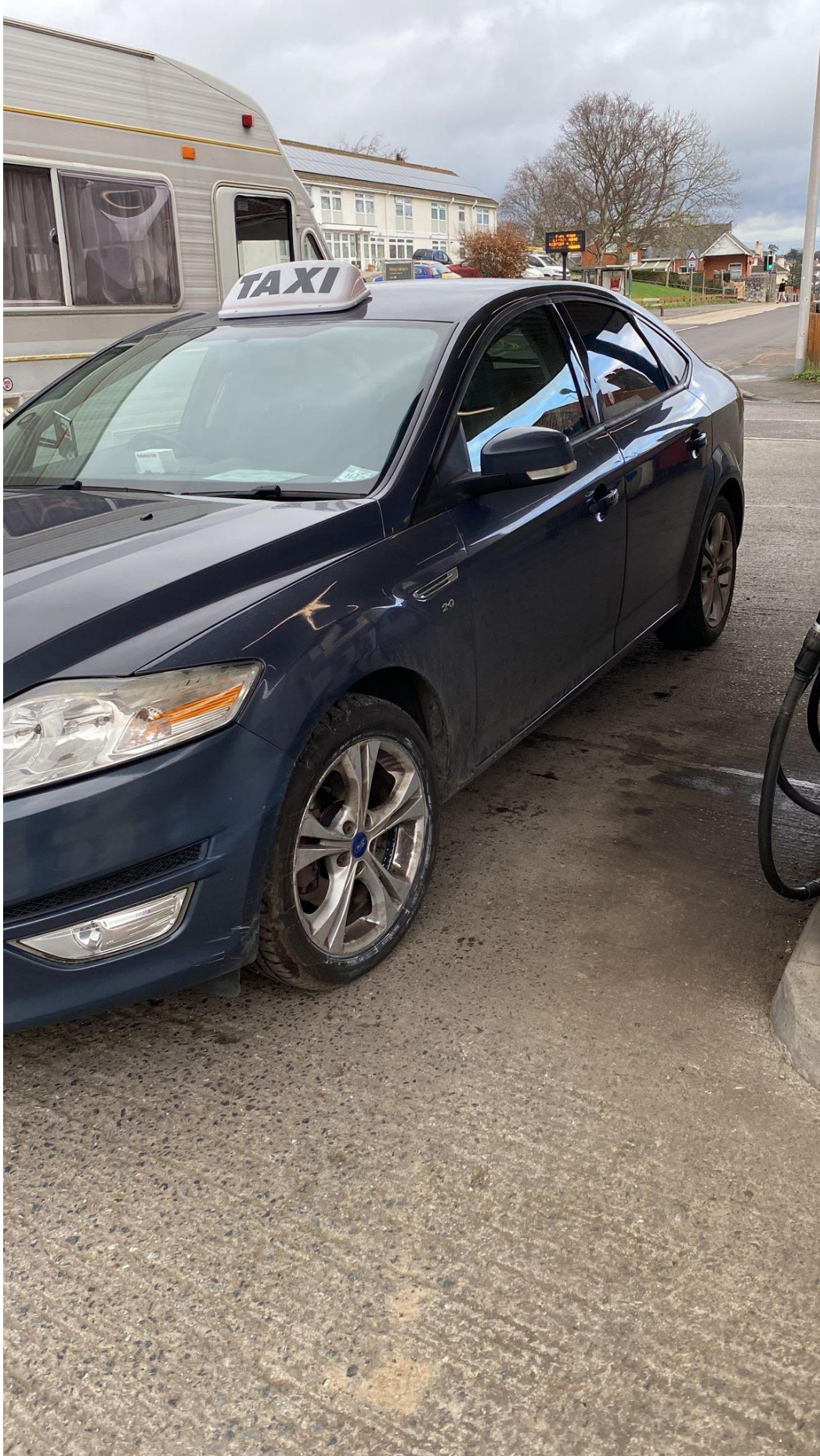
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**TEIGNBRIDGE DISTRICT COUNCIL**  
**LICENSING AND REGULATORY SUB COMMITTEE**

**3 April 2023**

**PART I**

<b>Report Title</b>	<b>Request for Hackney Carriage Vehicle Extension for further 12 months FY61 XHR Grey Skoda Octavia</b>
<b>Purpose</b>	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.
<b>Applicant</b>	Mr S Winter
<b>Options</b>	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
<b>Report Author</b>	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
<b>Appendices / Background Papers</b>	A: Request for extension B: MOT history C: Photographs

**1. APPLICATION DETAILS**

- 1.1 Vehicle first registered – 30 November 2011  
 Age of vehicle, if granted - 11 years and 4 months  
 Hackney Carriage licence expires – 4 April 2023

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 on 3 October 2023 with one advisory.
- 1.3 Vehicle inspection booked at the Depot on 28 March 2023 – details to be provided at the hearing.
- 1.4 **Licensing Officer:**  
 Vehicle checked -  
 At the time of writing this report the vehicle had not been inspected by a licensing officer.

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 FY61 XHR, a grey Skoda Octavia.

The licence is due to expire 6<sup>th</sup> April 2023 and will be 11 years and 5 months. The vehicle is in excellent condition inside and out.

Since Covid the increase in price of purchasing 2<sup>nd</sup> hand vehicles that are under 5 years old has risen greatly, coupled with the ever increasing cost of fuel it is a financially unstable time for growing businesses. I hope that the committee will look favourably upon my request.

I will present my vehicle to the Licensing Officer for inspection on request so that they can confirm that it was in good physical condition.

Yours faithfully

Scott Winter

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## Check MOT history

This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrm=FY61XHR&make\\_result=SKODA&model\\_result=OCTAVIA&mot\\_first\\_used\\_date=2011-11-30&vehicle\\_age=4129&mot\\_expiry\\_date=2023-10-03&mot\\_expiry\\_date\\_days\\_left=196&user\\_satisfaction\\_banner=0&vehicle\\_data\\_origin=MTS&vehicle\\_t](https://www.smartsurvey.co.uk/s/GIZZX?vrm=FY61XHR&make_result=SKODA&model_result=OCTAVIA&mot_first_used_date=2011-11-30&vehicle_age=4129&mot_expiry_date=2023-10-03&mot_expiry_date_days_left=196&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_t) to help us improve.

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 [Back](#)

**FY61 XHR**

**SKODA OCTAVIA**

[Check another vehicle \(/\)](#)

Colour

**Grey**

Fuel type

**Diesel**

Date registered

**30 November 2011**

MOT valid until

**3 October 2023**

[Get an MOT reminder \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder) by email or text.

[Download test certificates \(/enter-v5c?registration=FY61XHR\)](/enter-v5c?registration=FY61XHR)

If you think the MOT expiry date or any of the vehicle details are wrong: [contact DVSA \(https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes\)](https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes).

[Show all sections](#)

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## MOT history

Check mileage recorded at test, expiry date, and test outcome

[Hide](#)

Date tested  
**4 October 2022**

**PASS**

Mileage  
**294,262 miles**

Test location

▶ [View test location](#)

<sup>3</sup>  
MOT test number  
**7190 9674 5457**

Expiry date  
**3 October 2023**

Monitor and repair if necessary (advisories):

- **Offside Rear Anti-roll bar linkage ball joint has slight play (5.3.4 (a) (i))**

▶ [What are advisories?](#)

---

Date tested  
**6 September 2021**

# PASS

Mileage

**268,057 miles**

Test location

▶ [View test location](#)

MOT test number

**5892 3357 5203**

Expiry date

**30 September 2022**

Repair as soon as possible (minor defects):

- **Nearside Rear reflector defective or damaged by up to 50% of the reflecting surface (4.8.1 (a) (i))**
- **Offside Rear reflector defective or damaged by up to 50% of the reflecting surface (4.8.1 (a) (i))**
- **Offside Outer Drive shaft joint constant velocity boot severely deteriorated (6.1.7 (g) (i))**

Monitor and repair if necessary (advisories):

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



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

▶ [What are advisories?](#)

---

Date tested

**6 September 2021**

**FAIL**

↑  
Mileage

**268,022 miles**

Test location

▶ [View test location](#)

MOT test number

**8909 1438 4420**

Repair immediately (major defects):

- **Nearside Windscreen wiper does not clear the windscreen effectively (3.4 (b) (ii))**
- **Offside Windscreen wiper does not clear the windscreen effectively (3.4 (b) (ii))**

- **Supplementary restraint system warning lamp indicates a fault (7.1.6 (a))**

Repair as soon as possible (minor defects):

- **Nearside Rear reflector defective or damaged by up to 50% of the reflecting surface (4.8.1 (a) (i))**
- **Offside Rear reflector defective or damaged by up to 50% of the reflecting surface (4.8.1 (a) (i))**
- **Offside Outer Drive shaft joint constant velocity boot severely deteriorated (6.1.7 (g) (i))**

Monitor and repair if necessary (advisories):

- **Nearside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))**
- **Offside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))**
- 42 • **Nearside Front Suspension arm pin or bush worn but not resulting in excessive movement rear bush (5.3.4 (a) (i))**
- **Offside Front Suspension arm pin or bush worn but not resulting in excessive movement rear bush (5.3.4 (a) (i))**

► [What are defects and advisories?](#)

---

Date tested

**15 September 2020**

**PASS**

Mileage  
**250,930 miles**

Test location

▶ [View test location](#)

MOT test number  
**7268 0436 5151**

Expiry date  
**30 September 2021**

<sup>43</sup>

Monitor and repair if necessary (advisories):

- **Offside Front Brake hose slightly deteriorated (1.1.12 (b) (ii))**
- **Offside Rear Anti-roll bar linkage ball joint has slight play (5.3.4 (a) (i))**

▶ [What are advisories?](#)

---

Date tested  
**28 March 2019**

**PASS**

Mileage  
**220,477 miles**

Test location

▶ [View test location](#)

MOT test number

**6917 1313 8252**

Expiry date

**30 September 2020**

Monitor and repair if necessary (advisories):

- **Front Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Nearside Rear Tyre worn close to legal limit/worn on edge on 3mm and wearing on inner edge (5.2.3 (e))**

▶ [What are advisories?](#)

---

Date tested

**27 March 2019**

**FAIL**

Mileage

**220,457 miles**

Test location

▶ [View test location](#)

MOT test number

**1523 0277 5190**

Repair immediately (major defects):

- **Offside Front Side repeater with a multiple light source more than 1/2 not functioning (4.4.1 (a) (ii))**

Monitor and repair if necessary (advisories):

- **Front Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Nearside Rear Tyre worn close to legal limit/worn on edge on 3mm and wearing on inner edge (5.2.3 (e))**

45 ▶ [What are defects and advisories?](#)

---

## The MOT test changed on 20 May 2018

Defects are now categorised according to their severity - dangerous, major, and minor.  
[Find out more \(https://www.gov.uk/government/news/mot-changes-20-may-2018\)](https://www.gov.uk/government/news/mot-changes-20-may-2018).

---

Date tested

**29 March 2018**

# PASS

Mileage

**193,060 miles**

Test location

▶ [View test location](#)

MOT test number

**4227 7041 7516**

Expiry date

**31 March 2019**

Advisory notice item(s)

- **Offside Front Front wheel bearing has slight play (2.5.A.3c)**
- **Offside Front Side indicator only 33% working**

▶ [What are advisories?](#)

---

Date tested

**30 March 2017**

# PASS

Mileage

**164,380 miles**

Test location

▶ [View test location](#)

MOT test number

**6366 5360 2843**

↕ Expiry date

**31 March 2018**

---

Date tested

**1 April 2016**

# PASS

Mileage

**129,269 miles**

Test location

▶ [View test location](#)

MOT test number

**8217 0117 7206**

Expiry date

**31 March 2017**

---

Date tested

**1 April 2016**

**FAIL**

Mileage

↖ **29,267 miles**

Test location

▶ [View test location](#)

MOT test number

**1472 5366 0743**

Reason(s) for failure

- **Offside Front Tyre tread depth below requirements of 1.6mm (4.1.E.1)**



▶ [What are failures?](#)

---

Date tested

**18 November 2015**

**PASS**

Mileage

**117,742 miles**

Test location

 [View test location](#)

MOT test number

**5353 3194 7967**

Expiry date

**30 November 2016**

Advisory notice item(s)

- **Nearside Front Anti-roll bar linkage has slight play in a ball joint (2.4.G.2)**
- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**
- **Offside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are advisories?](#)

---

Date tested

**12 November 2014**

**FAIL**

Mileage

**94,777 miles**

Test location

▶ [View test location](#)

50

MOT test number

**5552 6641 4312**

Reason(s) for failure

- **Nearside Windscreen wiper does not clear the windscreen effectively (8.2.2)**
- **Offside Windscreen wiper does not clear the windscreen effectively (8.2.2)**

▶ [What are failures?](#)

---

Date tested

12 November 2014

**PASS**

Mileage

**94,777 miles**

Test location

▶ [View test location](#)

MOT test number

**5591 2641 4362**

Expiry date

**30 November 2015**

---

## Check for vehicle recalls

See if SKODA OCTAVIA FY61XHR has outstanding recalls

⌵ [Show](#)

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**TEIGNBRIDGE DISTRICT COUNCIL**  
**LICENSING AND REGULATORY SUB COMMITTEE**

**3 April 2023**

**PART I**

<b>Report Title</b>	<b>Request for Hackney Carriage Vehicle Extension for further 12 months</b> RE11 KFJ Silver Ford Transit
<b>Purpose</b>	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.
<b>Applicant</b>	Mr U Kucuk
<b>Options</b>	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
<b>Report Author</b>	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
<b>Appendices / Background Papers</b>	A: Request for extension B: MOT history C: Photographs

**1. APPLICATION DETAILS**

- 1.1 Vehicle first registered – 11 July 2011  
Age of vehicle, if granted - 11 years and 8 months  
Hackney Carriage licence expires – 13 April 2023

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 on 21 February 2024 with 9 advisories.
- 1.3 Vehicle inspection booked at the Depot on 30 March 2023 – details to be provided at the hearing.
- 1.4 **Licensing Officer:**  
Vehicle checked –

At the time of writing this report the vehicle had not been inspected by a licensing officer.

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 RE11 KFJ, a silver Ford Transit

The licence is due to expire 13<sup>th</sup> April 2023 and will be 11 years and 9 months. The vehicle is in excellent condition inside and out.

The cost of 8 seater vehicles has increased considerably and to purchase one that is less than 5 years old is half as much again as it was pre covid.

I will present my vehicle to the Licensing Officer for inspection on request so that they can confirm that it was in good physical condition.

If the vehicle is granted an extension, I understand that it will be subject to 6 monthly inspections and I will be happy to comply with this.

I hope that the committee will look favourably upon my request.

Yours faithfully

Ugur Kucuk

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## Check MOT history

This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrm=RE11KFJ&make\\_result=FORD&model\\_result=TRANSIT&mot\\_first\\_used\\_date=2011-07-11&vehicle\\_age=4271&mot\\_expiry\\_date=2024-02-21&mot\\_expiry\\_date\\_days\\_left=337&user\\_satisfaction\\_banner=0&vehicle\\_data\\_origin=MTS&vehicle\\_t](https://www.smartsurvey.co.uk/s/GIZZX?vrm=RE11KFJ&make_result=FORD&model_result=TRANSIT&mot_first_used_date=2011-07-11&vehicle_age=4271&mot_expiry_date=2024-02-21&mot_expiry_date_days_left=337&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_t) to help us improve.

---

 [Back](#)

**RE11KFJ**

**FORD TRANSIT**

[Check another vehicle \(/\)](#)

Colour

**Silver**

Fuel type

**Diesel**

Date registered

**11 July 2011**

MOT valid until

**21 February 2024**

[Get an MOT reminder \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder) by email or text.

[Download test certificates \(/enter-v5c?registration=RE11KFJ\)](/enter-v5c?registration=RE11KFJ)

If you think the MOT expiry date or any of the vehicle details are wrong: [contact DVSA \(https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes\)](https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes).

[^ Hide all sections](#)

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## MOT history

Check mileage recorded at test, expiry date, and test outcome

[^ Hide](#)

Date tested

**22 February 2023**

**PASS**

Mileage

**296,619 miles**

Test location

▶ [View test location](#)

<sup>6</sup>  
MOT test number

**5892 9093 7413**

Expiry date

**21 February 2024**

Monitor and repair if necessary (advisories):

- **All welding repairs cover in under seal**
- **Nearside Front Seat belt anchorage prescribed area is corroded but not considered excessive (7.1.1 (a) (i))**
- **Offside Front Seat belt anchorage prescribed area is corroded but not considered excessive (7.1.1 (a) (i))**

- **Nearside Front Suspension component mounting prescribed area damaged but not considered excessive (5.3.6 (a) (i))**
- **Offside Front Suspension component mounting prescribed area damaged but not considered excessive (5.3.6 (a) (i))**
- **Nearside Rear Suspension component mounting prescribed area damaged but not considered excessive (5.3.6 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area damaged but not considered excessive (5.3.6 (a) (i))**
- **Nearside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**
- **Offside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**

▶ [What are advisories?](#)

---



Date tested

**17 February 2023**

**FAIL**

Mileage

**296,390 miles**

Test location

▶ [View test location](#)

MOT test number

**2341 8453 6653**

Repair immediately (major defects):

- **Offside Front Seat belt anchorage prescribed area strength or continuity significantly reduced (7.1.1 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area excessively corroded significantly reducing structural strength (5.3.6 (a) (i))**
- **Nearside Front Seat belt anchorage prescribed area strength or continuity significantly reduced (7.1.1 (a) (i))**
- **Offside Rear Suspension spring mounting prescribed area excessively corroded significantly reducing structural strength rear (5.3.6 (a) (i))**
- **Nearside Front Headlamp aim too low (4.1.2 (a))**
- **Offside Front Brake hose excessively twisted (1.1.12 (b) (ii))**

Monitor and repair if necessary (advisories):

- **Nearside Suspension component mounting repair covered in underseal (5.3.6 (a) (i))**
- **Offside Suspension component mounting repair covered in underseal (5.3.6 (a) (i))**
- **Nearside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**
- **Offside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**
- **Rear Brakes imbalanced requirements only just met. It would appear that the braking system requires adjustment or repair. 28% (1.2.1 (b) (i))**
- **Nearside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**

- **Offside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Nearside Rear Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**

▶ [What are defects and advisories?](#)

---

Date tested

**6 February 2023**

**FAIL**

Mileage

**295,447 miles**

Test location

▶ [View test location](#)

MOT test number

**8545 4614 9259**

Repair immediately (major defects):

- **Nearside Front Shock absorbers has negligible damping effect (5.3.2 (d))**
- **Offside Front Shock absorbers has negligible damping effect (5.3.2 (d))**
- **Windscreen washer provides insufficient washer liquid (3.5 (a))**
- **Offside Front Seat belt anchorage prescribed area strength or continuity significantly reduced (7.1.1 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area excessively corroded significantly reducing structural strength (5.3.6 (a) (i))**
- **Nearside Front Seat belt anchorage prescribed area strength or continuity significantly reduced (7.1.1 (a) (i))**
- **Nearside Front Headlamp aim projected beam image is obviously incorrect (4.1.2 (c))**
- **Offside Front Headlamp aim projected beam image is obviously incorrect (4.1.2 (c))**
- **Nearside Front Brake master cylinder/servo mounting prescribed area is excessively corroded (1.1.21 (e) (i))**
- **Offside Rear Suspension spring mounting prescribed area excessively corroded significantly reducing structural strength rear (5.3.6 (a) (i))**
- **Central Brake pipe likely to become detached or damaged Front to rear (1.1.11 (d) (ii))**

Monitor and repair if necessary (advisories):

- **Nearside Suspension component mounting repair covered in underseal (5.3.6 (a) (i))**
- **Offside Suspension component mounting repair covered in underseal (5.3.6 (a) (i))**
- **Nearside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**

- **Offside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**
- **Rear Brakes imbalanced requirements only just met. It would appear that the braking system requires adjustment or repair. 28% (1.2.1 (b) (i))**
- **Nearside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Offside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Nearside Rear Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**

▶ [What are defects and advisories?](#)

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Date tested

**18 February 2022**

**PASS**

Mileage

**271,908 miles**

Test location

▶ [View test location](#)



MOT test number  
**6647 2509 4229**

Expiry date  
**17 February 2023**

Monitor and repair if necessary (advisories):

- **Power steering notchy**
- **Nearside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Offside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Nearside Rear Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Rear Brake disc worn, but not excessively (1.1.14 (a) (i))**
- **Offside Front Seat belt anchorage prescribed area is corroded but not considered excessive (7.1.1 (a) (i))**
- **Rear Brake pipe corroded, covered in grease or other material X2 (1.1.11 (c))**
- **Central Brake pipe corroded, covered in grease or other material X2 (1.1.11 (c))**
- **Oil leak, but not excessive (8.4.1 (a) (i))**
- **Play in steering rack inner joint(s)**
- **Noise from engine**

▶ [What are advisories?](#)

---

Date tested

**18 February 2022**

**FAIL**

Mileage

**271,908 miles**

Test location

▶ [View test location](#)

MOT test number

**1759 8853 6316**

Repair immediately (major defects):

- **Registration plate lamp inoperative in the case of a single lamp or all lamps (4.7.1 (b) (ii))**
- **Nearside Stop lamp(s) adversely affected by the operation of another lamp (4.3.3 (b))**

Monitor and repair if necessary (advisories):

- **Power steering notchy**
- **Nearside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**

- **Offside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Nearside Rear Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Rear Brake disc worn, but not excessively (1.1.14 (a) (i))**
- **Offside Front Seat belt anchorage prescribed area is corroded but not considered excessive (7.1.1 (a) (i))**
- **Rear Brake pipe corroded, covered in grease or other material X2 (1.1.11 (c))**
- **Central Brake pipe corroded, covered in grease or other material X2 (1.1.11 (c))**
- **Oil leak, but not excessive (8.4.1 (a) (i))**
- **Play in steering rack inner joint(s)**
- **Noise from engine**

▶ [What are defects and advisories?](#)

---

Date tested

**31 January 2022**

**FAIL**

Mileage

**271,867 miles**

Test location

► [View test location](#)

MOT test number

**2285 3440 3946**

Repair immediately (major defects):

- **Nearside Rear Stop lamp(s) adversely affected by the operation of another lamp (4.3.3 (b))**
- **Nearside Rear Suspension component mounting prescribed area excessively corroded significantly reducing structural strength (5.3.6 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area excessively corroded significantly reducing structural strength (5.3.6 (a) (i))**
- **Offside Rear Suspension component mounting prescribed area excessively corroded significantly reducing structural strength crossmember (5.3.6 (a) (i))**
- **Nearside Rear Seat belt anchorage prescribed area strength or continuity significantly reduced (7.1.1 (a) (i))**
- **Offside Rear Seat belt anchorage prescribed area strength or continuity significantly reduced (7.1.1 (a) (i))**
- **Central Seat belt anchorage prescribed area strength or continuity significantly reduced inner sill (7.1.1 (a) (i))**
- **Seat belt anchorage prescribed area strength or continuity significantly reduced (7.1.1 (a) (i))**

Repair as soon as possible (minor defects):

- **Nearside Rear Registration plate lamp inoperative in the case of multiple lamps or light sources (4.7.1 (b) (i))**

Monitor and repair if necessary (advisories):

- **both front steps corroded and hold**
- **Nearside Rear Brake pipe corroded, covered in grease or other material (1.1.11 (c))**
- **Offside Rear Brake pipe corroded, covered in grease or other material (1.1.11 (c))**
- **Central Brake pipe corroded, covered in grease or other material (1.1.11 (c))**
- **Nearside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**
- **Offside Front Suspension component mounting prescribed area is corroded but not considered excessive (5.3.6 (a) (i))**

7

- **Noise from engine**
- **Rear wheel arches corroded**
- **Nearside Front Wheel arch corroded and hold**
- **Tail gate inner trim cover missing**
- **Oil leak, but not excessive (8.4.1 (a) (i))**
- **Nearside Front Play in steering rack inner joint(s)**
- **Offside Front Play in steering rack inner joint(s)**
- **Corroded Front and rear**

► [What are defects and advisories?](#)

---

Date tested

3 February 2021

**PASS**

Mileage

**250,071 miles**

Test location

▶ [View test location](#)

MOT test number

**6041 2281 9003**

Expiry date

**2 February 2022**

Monitor and repair if necessary (advisories):

- **Offside Front Anti-roll bar ball joint has slight play (5.3.4 (a) (i))**
- **Nearside Front Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Offside Front Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**

▶ [What are advisories?](#)

---

Date tested  
**9 April 2019**

**PASS**

Mileage  
**210,237 miles**

Test location

▶ [View test location](#)

MOT test number  
**2052 9596 2484**

Expiry date  
**16 October 2020**

Monitor and repair if necessary (advisories):

- **Front Brake disc worn, but not excessively (1.1.14 (a) (i))**

▶ [What are advisories?](#)

---

Date tested  
**9 April 2019**

# FAIL

Mileage

**210,237 miles**

Test location

▶ [View test location](#)

MOT test number

**7278 5428 0287**

Repair immediately (major defects):

- ☞ **Nearside Headlamp aim projected beam image is obviously incorrect (4.1.2 (c))**
  - **Offside Headlamp aim projected beam image is obviously incorrect (4.1.2 (c))**

Repair as soon as possible (minor defects):

- **Nearside Registration plate lamp inoperative in the case of multiple lamps or light sources (4.7.1 (b) (i))**
- **Offside Registration plate lamp inoperative in the case of multiple lamps or light sources (4.7.1 (b) (i))**

Monitor and repair if necessary (advisories):

- **Front Brake disc worn, but not excessively (1.1.14 (a) (i))**

▶ [What are defects and advisories?](#)



---

## The MOT test changed on 20 May 2018

Defects are now categorised according to their severity - dangerous, major, and minor.  
[Find out more \(https://www.gov.uk/government/news/mot-changes-20-may-2018\)](https://www.gov.uk/government/news/mot-changes-20-may-2018).

---

Date tested

**11 April 2018**

**PASS**

Mileage

**178,939 miles**

Test location

▶ [View test location](#)

MOT test number

**7898 0092 0593**

Expiry date

**16 April 2019**

---

Date tested  
**11 April 2018**

**FAIL**

Mileage  
**178,937 miles**

Test location

▶ [View test location](#)

MOT test number  
**4732 5541 0551**

82

Reason(s) for failure

- **Nearside Rear Direction indicator incorrect colour (1.4.A.2f)**
- **Offside Rear Direction indicator incorrect colour (1.4.A.2f)**
- **Nearside Rear Electrical wiring insecure brake sensor (1.9.2a)**
- **Offside Track rod end ball joint has excessive play (2.2.B.1f)**

Advisory notice item(s)

- **Nearside Rear Brake pad(s) wearing thin (3.5.1g)**
- **service light displayed on dash**

▶ [What are failures and advisories?](#)

---

Date tested

**17 April 2017**

**PASS**

Mileage

**155,196 miles**

Test location

▶ [View test location](#)

∞  
∞

MOT test number

**8112 1667 3139**

Expiry date

**16 April 2018**

Advisory notice item(s)

- **Nearside Front tyre getting close to limit**
- **Offside Front tyre getting close to limit**

▶ [What are advisories?](#)

---

Date tested

**14 April 2017**

**FAIL**

Mileage

**155,196 miles**

Test location

▶ [View test location](#)

MOT test number

**6314 9317 3348**

84

Reason(s) for failure

- **Offside Front Anti-roll bar rubber bush deteriorated resulting in excessive movement antiroll bar d bush (2.4.G.2)**

Advisory notice item(s)

- **Nearside Front tyre getting close to limit**
- **Offside Front tyre getting close to limit**

▶ [What are failures and advisories?](#)

---

Date tested  
**11 March 2016**

**PASS**

Mileage  
**129,138 miles**

Test location

▶ [View test location](#)

MOT test number  
**5087 0148 6128**

Expiry date  
**10 March 2017**

---

Date tested  
**13 July 2015**

**PASS**

Mileage  
**118,218 miles**

Test location

▶ [View test location](#)

MOT test number

**1577 5469 5124**

Expiry date

**12 July 2016**

---

Date tested

**20 June 2014**

**PASS**

89

Mileage

**81,115 miles**

Test location

▶ [View test location](#)

MOT test number

**3668 3167 4118**

Expiry date

**11 July 2015**

---

Date tested  
**20 June 2014**

**FAIL**

Mileage  
**81,115 miles**

Test location

▶ [View test location](#)

87

MOT test number  
**8187 5167 4193**

Reason(s) for failure

- **Offside Windscreen wiper does not clear the windscreen effectively (8.2.2)**

▶ [What are failures?](#)

---

---

## Check for vehicle recalls

See if FORD TRANSIT RE11KFJ has outstanding recalls

 [Hide](#)

**No recalls found.**

This information is provided by the vehicle manufacturer. If you think the recall information is wrong, contact your local dealership.





---

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**TEIGNBRIDGE DISTRICT COUNCIL**  
**LICENSING AND REGULATORY SUB COMMITTEE**

**3 APRIL 2023**

**PART I**

<b>Report Title</b>	<b>Request for a small plate for a private hire vehicle</b>
<b>Purpose</b>	To consider approval for a small plate for a Skoda Kodiaq registration number FH68 BMZ
<b>Applicant</b>	Mr U Kucuk
<b>Options</b>	The Committee may: a. Grant the request to be used for executive hire. b. Refuse the request.
<b>Report Author</b>	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
<b>Appendices / Background Papers</b>	A: Request for small plate B: Vehicle photographs C: Sample small plate

**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 - Appendix A). Photographs of the vehicle are attached at Appendix B. A sample small plate is shown at Appendix C.

## **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.

Regulatory & Appeals Committee

16 March 23

Dear Committee

I would like to request a small plate for my new Private Hire vehicle P545. Registration FH68 BMZ, a White Skoda Sport, this registration will be changing to personal plate MR12 GEM.

The vehicle is intended for executive travel, weddings etc. I have a full fleet of vehicles for everyday use so can keep this for special bookings.

Thank you for your consideration

Ugur Kucuk

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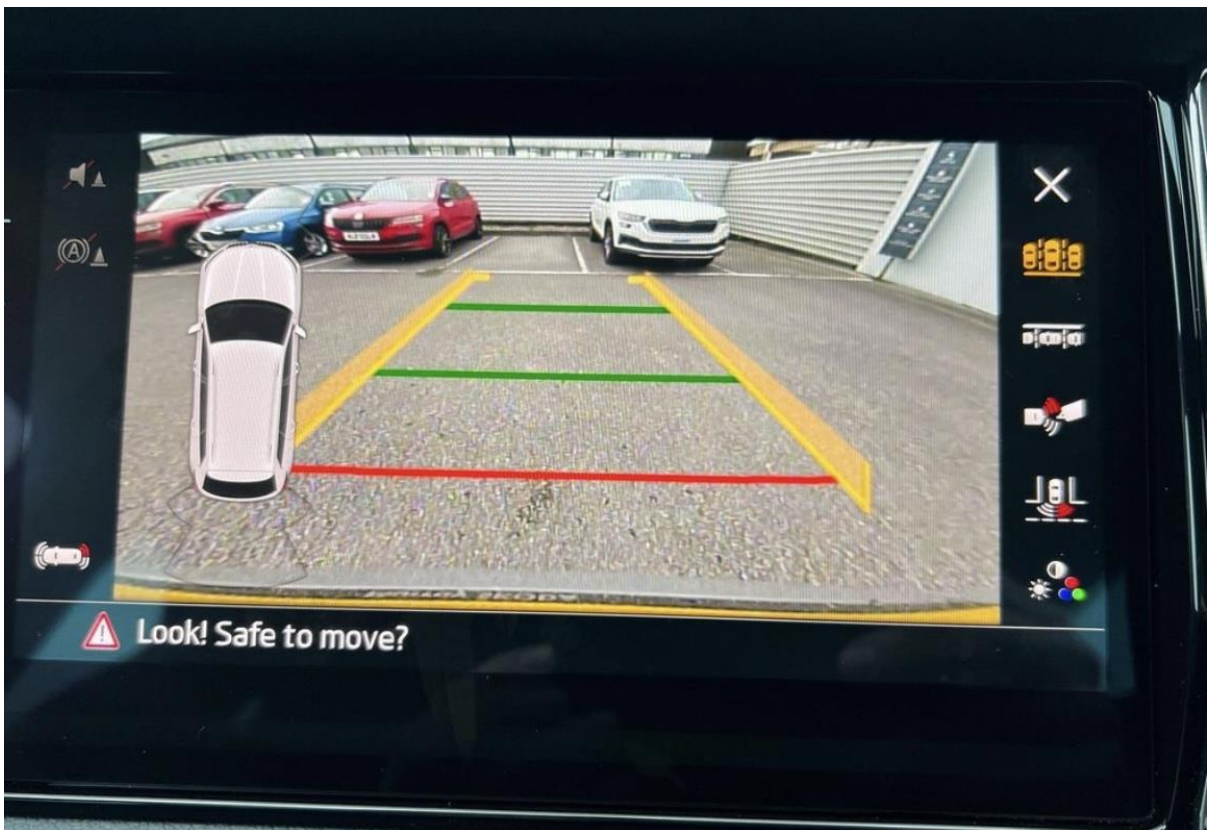












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**Teignbridge**  
DISTRICT COUNCIL  
South Devon

# PRIVATE HIRE

**VEHICLE DESCRIPTION:**

**REGISTRATION NO:**

**EXPIRY DATE:**

**LICENSED TO CARRY:**

Printed: 21 FEB 2020 M4 SILVER

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**TEIGNBRIDGE DISTRICT COUNCIL**  
**LICENSING AND REGULATORY SUB COMMITTEE**

**3 April 2023**

**PART I**

<b>Report Title</b>	<b>Request for Private Hire Vehicle Extension for further 12 months KLZ 1117 White Chrysler 300c</b>
<b>Purpose</b>	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.
<b>Applicant</b>	Mr K Lynn
<b>Options</b>	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
<b>Report Author</b>	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
<b>Appendices / Background Papers</b>	A: Request for extension B: MOT history C: Photographs

**1. APPLICATION DETAILS**

- 1.1 Vehicle first registered – 2 March 2006  
Age of vehicle, if granted - 17 years and 1 month  
Private Hire licence expires on 8 April 2023

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 on 26 October 2023 with no advisories.
- 1.3 Vehicle inspection undertaken at Chuley Road Garage on 21 March 2023. Inspection sheet to be provided at the hearing.
- 1.4 **Licensing Officer:**  
Vehicle inspected -

At the time of writing this report the vehicle had not been inspected by a licensing officer.

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 48(4)(c) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

*'Every licence granted under this section shall— (c) remain in force for such period not being longer than one year as the district council may specify in the licence'.*

- 2.4 Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

*'A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.'*

- 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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# HUMMER4U

THE MOST EXOTIC LIMOUSINE RENTAL  
COMPANY V.I.P / WEDDINGS / BIRTHDAYS /  
PROMS / SPECIAL OCCASIONS

TEL: 01626 356625

For The Committee

13/03/2023

Apologies for my absence today we would like to ask the committee to consider a 12 months extension on KLZ 1117 P107.

This vehicle is one of our primary Wedding Cars but does do School Proms so for that reason it needs to be private hire plated.

The vehicle has done very little miles since last plated a total of 1,222

The vehicle is regularly serviced in our own onsite workshops.

YOURS FAITHFULLY

KEVIN LYNN (DIRECTOR)

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## Check MOT history

This is a new service – [Complete a quick survey](https://www.smvrm=KLZ1117&make_result=CHRYSLER&model_result=300+C&mot_02&vehicle_age=6228&mot_expiry_date=2023-10-26&mot_expiry_date_days_left=219&user_satisfaction_banner=0&veh) (https://www.smvrm=KLZ1117&make\_result=CHRYSLER&model\_result=300+C&mot\_02&vehicle\_age=6228&mot\_expiry\_date=2023-10-26&mot\_expiry\_date\_days\_left=219&user\_satisfaction\_banner=0&veh) to help us improve.

---

[< Back](#)

**KLZ III7**

**CHRYSLER 300 C**

[Check another vehicle \(/\)](#)

Colour

**White**

Fuel type

**Diesel**

Date registered

**2 March 2006**

MOT valid until

**26 October 2023**

[Get an MOT reminder \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder) by email or text.

[Download test certificates \(/enter-v5c?registration=KLZ1117\)](/enter-v5c?registration=KLZ1117)

If you think the MOT expiry date or any of the vehicle details are wrong: [contact DVSA \(https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes\)](https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes).

 [Show all sections](#)

---

## MOT history

Check mileage recorded at test, expiry date, and test outcome

 [Hide](#)

Date tested

**27 October 2022**

**PASS**

Mileage

**85,296 miles**

Test location

 [View test location](#)

MOT test number

**2566 9691 1182**

Expiry date

**26 October 2023**

---

7 October 2021

**PASS**

Mileage

**84,015 miles**

Test location

▶ [View test location](#)

MOT test number

**8390 8631 7795**

Expiry date

**6 October 2022**

---

Date tested

**13 August 2020**

**PASS**

Mileage

**82,586 miles**

Test location

▶ [View test location](#)

MOT test number

**4077 0423 7196**

Expiry date

**12 August 2021**

Monitor and repair if necessary (advisories):

- **Parking brake efficiency only just met. It would appear that the braking system requires adjustment or repair.**

## (1.4.2 (a) (i))

▶ [What are advisories?](#)

---

Date tested

**26 March 2019**

**PASS**

Mileage

**80,249 miles**

Test location

▶ [View test location](#)

MOT test number

**1852 2570 0240**

Expiry date

**28 March 2020**

---

### The MOT test changed on 20 May 2018

Defects are now categorised according to their severity - dangerous, major, and minor. [Find out more \(https://www.gov.uk/government/news/mot-changes-20-may-2018\)](https://www.gov.uk/government/news/mot-changes-20-may-2018).

---

Date tested

**29 March 2018**

**PASS**

Mileage

120



**78,428 miles**

Test location

▶ [View test location](#)

MOT test number

**8236 6021 7731**

Expiry date

**28 March 2019**

---

Date tested

**26 March 2018**

**FAIL**

Mileage

**78,405 miles**

Test location

▶ [View test location](#)

MOT test number

**7616 2241 9468**

Reason(s) for failure

- **Parking brake: efficiency below requirements (3.7.B.7)**

Advisory notice item(s)

- **Front Brake pad(s) wearing thin (3.5.1g)**
- **Nearside Front Suspension arm ball joint dust cover deteriorated, but preventing the ingress of dirt (2.4.G.2)**
- **Offside Front Suspension arm ball joint dust cover deteriorated, but preventing the ingress of dirt (2.4.G.2)**

- **Offside front brake fluctuating, but not excessively (3.7.B.3)**

▶ [What are failures and advisories?](#)

---

Date tested

**29 March 2017**

**PASS**

Mileage

**75,266 miles**

Test location

▶ [View test location](#)

MOT test number

**6109 5670 7669**

Expiry date

**28 March 2018**

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are advisories?](#)

---

Date tested

**10 March 2016**

**PASS**

Mileage

**72,383 miles**

Test location

▶ [View test location](#)

MOT test number

**2820 7214 6125**

Expiry date

**26 March 2017**

---

Date tested

**25 March 2015**

**PASS**

Mileage

**69,337 miles**

Test location

▶ [View test location](#)

MOT test number

**9092 6448 5034**

Expiry date

**26 March 2016**

Advisory notice item(s)

- **Offside Track rod end ball joint has slight play (2.2.B.1f)**
- **Front Brake pad(s) wearing thin (3.5.1g)**

▶ [What are advisories?](#)

---

Date tested

**27 March 2014**

# PASS

Mileage

**65,400 miles**

Test location

▶ [View test location](#)

MOT test number

**5778 1678 4063**

Expiry date

**26 March 2015**

Advisory notice item(s)

- **Offside Rear Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Track rod end ball joint has slight play (2.2.B.1f)**
- **Offside Front suspension has slight play in a upper suspension ball joint (2.5.B.1a)**

▶ [What are advisories?](#)

---

Date tested

**26 March 2014**

# FAIL

Mileage

**65,399 miles**

Test location

▶ [View test location](#)

MOT test number

**2284 0598 4044**

Reason(s) for failure

- **Nearside Front suspension has excessive play in a track control arm inner bush (2.5.B.2b)**
- **Offside Front suspension has excessive play in a track control arm inner bush (2.5.B.2b)**
- **Parking brake: efficiency below requirements (3.7.B.7)**

Advisory notice item(s)

- **Offside Rear Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Track rod end ball joint has slight play (2.2.B.1f)**
- **Offside Front suspension has slight play in a upper suspension ball joint (2.5.B.1a)**
- **Tyre pressure monitoring system warning lamp does not illuminate (4.1.D.4)**

▶ [What are failures and advisories?](#)

---

Date tested

**19 March 2013**

**PASS**

Mileage

**60,695 miles**

Test location

▶ [View test location](#)

MOT test number

**3097 3837 3069**

Expiry date

**20 March 2014**

Date tested  
**20 March 2012**

**PASS**

Mileage  
**56,545 miles**

Test location

▶ [View test location](#)

MOT test number  
**5698 0068 2093**

Expiry date  
**20 March 2013**

---

Date tested  
**16 March 2012**

**FAIL**

Mileage  
**56,538 miles**

Test location

▶ [View test location](#)

MOT test number  
**8063 8617 2061**

Reason(s) for failure

- **Offside Registration plate lamp not working (1.1.C.1d)**
- **Offside rear brake binding (3.7.B.1)**
- **Parking brake: efficiency below requirements (3.7.B.7)**

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**
- **Nearside Ball joint has slight play (2.2.B.1f)**
- **Offside Ball joint has slight play (2.2.B.1f)**

▶ [What are failures and advisories?](#)

---

Date tested

**21 March 2011**

**PASS**

Mileage

**52,879 miles**

Test location

▶ [View test location](#)

MOT test number

**2792 4048 1074**

Expiry date

**20 March 2012**

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are advisories?](#)

---

Date tested

**16 March 2011**

**FAIL**

Mileage

**52,786 miles**

Test location

▶ [View test location](#)

MOT test number

**4953 7597 1028**

Reason(s) for failure

- **Nearside Front Track rod end ball joint has excessive play (2.2.B.1f)**

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are failures and advisories?](#)

---

Date tested

**15 March 2010**

**PASS**

Mileage

**43,685 miles**

Test location

▶ [View test location](#)

MOT test number

**2402 1457 0090**

Expiry date

**15 March 2011**



Date tested  
**18 January 2010**

**FAIL**

Mileage  
**Unknown**

Test location

▶ [View test location](#)

MOT test number  
**6847 0861 0060**

Reason(s) for failure

- **Nearside Track rod end ball joint has excessive play (2.2.B.1f)**
- **Offside Track rod end ball joint has excessive play (2.2.B.1f)**
- **Offside Obligatory mirror missing (8.1.1)**

Advisory notice item(s)

- **Nearside Front Shock absorber has a light misting of oil (2.7.3)**

▶ [What are failures and advisories?](#)

---

Date tested  
**16 March 2009**

**PASS**

Mileage  
**36,694 miles**

Test location

▶ [View test location](#)

MOT test number

**7413 9567 9081**

Expiry date

**15 March 2010**

---

Date tested

**10 March 2009**

**FAIL**

Mileage

**36,694 miles**

Test location

▶ [View test location](#)

MOT test number

**7011 5986 9062**

Reason(s) for failure

- **Offside Headlamp aim too high (1.8)**
- **Offside Front Track rod end ball joint has excessive play (2.2.B.1f) DANGEROUS**
- **Nearside Rear Tyre tread depth below requirements of 1.6mm (4.1.E.1) DANGEROUS**
- **Offside Rear Tyre tread depth below requirements of 1.6mm (4.1.E.1) DANGEROUS**
- **Offside Front Tyre tread depth below requirements of 1.6mm (4.1.E.1) DANGEROUS**

Advisory notice item(s)

- **Parking brake: parking brake efficiency only just met. It would appear that the braking system requires**

**adjustment or repair. (3.7.B.7)**

▶ [What are failures and advisories?](#)

---

## Check for vehicle recalls

See if CHRYSLER 300 C KLZ1117 has outstanding recalls

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**TEIGNBRIDGE DISTRICT COUNCIL**  
**LICENSING AND REGULATORY SUB COMMITTEE**

**3 APRIL 2023**

**PART I**

<b>Report Title</b>	<b>Request for a small plate for a private hire vehicle</b>
<b>Purpose</b>	To consider approval for a small plate for Silver Ford Tourneo, registration EXZ 199
<b>Applicant</b>	Mr K Lynn
<b>Options</b>	The Committee may: a. Grant the request to be used for executive hire. b. Refuse the request.
<b>Report Author</b>	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
<b>Appendices / Background Papers</b>	A: Applicant request for small plate B: Photographs C: Sample small plate

**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 - Appendix A. Photographs of the vehicle are attached at Appendix B. A sample small plate is shown at Appendix C.

## **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.

# HUMMER4U

THE MOST EXOTIC LIMOUSINE RENTAL  
COMPANY V.I.P / WEDDINGS / BIRTHDAYS /  
PROMS / SPECIAL OCCASIONS

TEL: 01626 356625

For The Committee

15/03/2023

Apologies for my absence today, we would like the committee to consider a small rear plate on our newly plated Transit Titanium Registration EXZ 199 at the time of committee.

This vehicle is part of our Executive fleet and will be doing corporate work along with weddings and a smaller plate would look more discreet.

YOURS FAITHFULLY

KEVIN LYNN (DIRECTOR)

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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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TEIGNBRIDGE DISTRICT COUNCIL

**LICENSING AND REGULATORY SUB-COMMITTEE**

**DATE:** 3 April 2023  
**REPORT OF:** Licensing Officer  
**SUBJECT:** **Application for a New Premises Licence – Woodland Café and Yurt Camp**

**PART I**

**RECOMMENDATION**

**That the Licensing Act 2003 Sub-Committee is requested to consider this application.**

**PART I**

**1. THE APPLICATION**

**Applicant: Mr Stuart Crook**

**Premises: Woodland Café and Yurt Camp, Staplehill Road, Liverton, Newton Abbot TQ12 6FU**

The application is for a Premises Licence to be granted under the Licensing Act 2003 is to allow the supply of alcohol and regulated entertainment. Attached is a copy of the site plan and individual areas (Appendix A).

The operating schedule shows:-

Hours Premises Open to the Public:  
Monday to Thursday 8am to 11.30pm  
Friday and Saturday 8am to 12.30am  
Sunday 8am to 11.30pm

Relevant licensable activities:

- Supply of alcohol.
- Provision of regulated entertainment: live music and anything similar.
- Provision of late-night refreshment.

## TEIGNBRIDGE DISTRICT COUNCIL

Hours of licensable activities:

Supply of Alcohol (on and off the premises)	Monday to Thursday 8am to 11pm Friday and Saturday 11am to midnight Sunday 8am to 11pm
Playing of Recorded Music	Friday and Saturday 8am to midnight
Late Night Refreshment	Friday and Saturday 11pm to midnight

Seasonal variation on all licensable activities

Supply of alcohol – Christmas Eve/Day and New Year's Eve/Day -8am to 1am  
(on and off the premise)  
Late Night Refreshment – Christmas Eve/Day and New Year's Eve/Day 11pm to 12.30am  
Recorded Music – Christmas Eve/Day and New Year's Eve/Day 8am to 1am  
Exhibition of Film - on occasion during the summer months 8am to 11.30pm  
Performance of a Play – during the summer months 8am to 11.30pm  
Entertainment of a similar description – during the summer months 8am to 11.30pm  
Live Music – 3<sup>rd</sup> weekend of May for fundraiser event 8am to 11.30pm

Designated premises supervisor: Stuart Crook

Supply of alcohol is for consumption on and off the premises.

Steps to promote licensing objectives:

- General  
Close relationship with other local hospitality businesses & phone calls to be made if any need regards individuals & anti-social behaviour.
- The Prevention of Crime and Disorder  
CCTV

The premises shall install operate and maintain a comprehensive digital colour CCTV. All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder. The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.

All recordings will be stored for a minimum period of 14 days with date and time stamping.

## TEIGNBRIDGE DISTRICT COUNCIL

Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).

The CCTV system will be capable of downloading images to a recognisable viewable format. There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

### INCIDENT LOG

An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

- i..Any incidents of disorder or of a violent or anti-social nature
- ii..All crimes reported to the venue, or by the venue to the police
- iii..Any ejections of patrons
- iv..Any complaints received
- v..Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

### REFUSALS REGISTER

An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i..the date and time of refusal
- ii..the reason for refusal
- iii..details of the person refusing the sale
- iv..description of the customer
- v..any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority. All entries must be made within 24 hours of the refusal.

## TEIGNBRIDGE DISTRICT COUNCIL

### STAFF TRAINING

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12-month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority. Training records will be retained for at least 12 months.

### CHALLENGE 25

There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused.

This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

- Public Safety  
Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket plus external fire bell for site. All appliances are inspected annually. All emergency exits shall be kept free from obstruction at all times.
- The Prevention of Public Nuisance  
Our rural site has zero impact on neighbours for vocal noise as cafe is situated amongst 44 acres of woods but on any busy or late events guests will be asked to be respectful of neighbours.  
Team trained not to serve drunk people or get people overly intoxicated.



## TEIGNBRIDGE DISTRICT COUNCIL

- The Protection of Children from Harm

Challenge 25 in place. All staff will be trained for UNDERAGE SALES PREVENTION regularly. Any physical structural issues to be communicated to owner immediately.

Children must be accompanied at all times posters up.

No lone working on site so always available to help any lost/injured child

**Environmental Health** – conditions to be agreed with the applicant.

### Conditions relating to Standard Timings

- The noise climate of the surrounding area must be protected such that the A- weighted equivalent continuous noise level (LAeq) emanating from the application site must not increase by more than +3dBa over the La90 background sound level, as measured 1m from any facade of any noise sensitive premises over any 5min period.
- Observations in the vicinity of the properties neighbouring the premises at, a minimum of, 120 minute intervals between 18.30 and 23.30 hours, whilst live music, karaoke or DJ's playing recorded music is taking place, will be undertaken to establish whether there is a noise breakout from the premises.
  - (i) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance.
  - (ii) A record of such observations shall be kept in a log for that purpose, the log shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise break out and any action taken to reduce noise breakout.
  - (iii) Such records must be made available for inspection and copying at all times upon request to an authorised officer of a responsible authority.
- The orientation of any sound stage or speakers must be such that speakers are faced away from noise sensitive premises and the natural landscaping utilised to mitigate any potential disturbance from noise.
- Participants and campers are not permitted to bring explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding area.

### Conditions relating to Music Events to occur on the 3<sup>rd</sup> weekend of May annually

- All amplified music in any outside marquee, structure or in the open air shall finish no later than 23:00 hours.
- The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not, at any noise sensitive premises, exceed 65dB(A) over a fifteen minute period throughout the duration of the event.
- The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level shall not, at any noise sensitive premises, exceed 65dB(A) over a fifteen minute period throughout the duration of any rehearsal or sound check for the event.

## TEIGNBRIDGE DISTRICT COUNCIL

- Observations in the vicinity of the properties neighbouring the premises at, a minimum of, 120 minute intervals between 18.30 and 23.00 hours, whilst live music, karaoke or DJ's playing recorded music is taking place, will be undertaken to establish whether there is a noise breakout from the premises.
  - (i) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance.
  - (ii) A record of such observations shall be kept in a log for that purpose, the log shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise break out and any action taken to reduce noise breakout.
  - (iii) Such records must be made available for inspection and copying at all times upon request to an authorised officer of a responsible authority.
- The Event Organiser shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of the sound control limits and that any instructions from the Responsible Authority for Environmental Health (Environmental Protection) regarding noise levels are complied with.
- An Event Management Plan covering the annual fundraising events and any other event on site of a similar nature, shall be submitted to the Licensing Authority no later than 4 weeks prior to the first day of the event (inclusive of any "build days"). The Licensing Authority shall be made aware of the date of set-up and will be permitted to attend a sound propagation test prior to the commencement of the first day of the event. During events, sound shall be monitored at the sound mixer position, designated monitoring points, at 1m from the facade of noise sensitive properties. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours. Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.
- Residents who may be disturbed by any events should be sent a letter / leaflet outlining the nature of the event, the date, the start and finish times and a number to contact should they experience disturbance/nuisance. This information will also be provided to Teignbridge Council's Environmental Protection Department. This telephone number will be manned and incidents will be evaluated and followed up and impact adjusted as appropriate with a log of all complaints kept.
- The orientation of any sound stage must be such that speakers are faced away from noise sensitive premises and the natural landscaping utilised to mitigate any potential disturbance from noise.
- Participants and campers are not permitted to bring explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding area.

## 2. RELEVANT REPRESENTATIONS

### Responsible authorities:

Police – no objection

**TEIGNBRIDGE DISTRICT COUNCIL**

Environmental Health Officer – no objection but conditions to be agreed with applicant.

Fire Officer – no objection

Planning Officer – representation received but not valid

Food and Safety - no representation received.

Child Protection Agency - no representation received.

Weights & Measures – no representation received.

Health Authority - no representation received.

**Interested parties:**

11 representations received on the grounds of Public Nuisance.

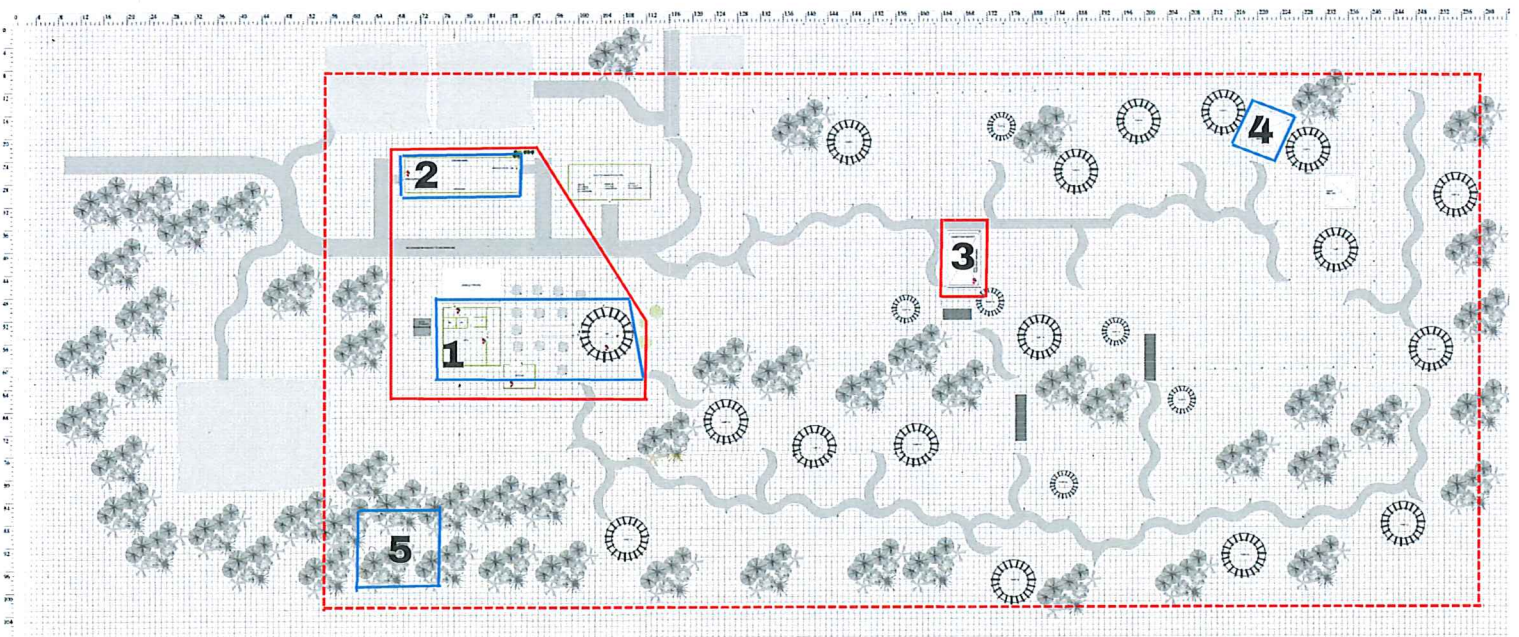
Note: Relevant extracts from D.C.M.S. Guidance and the Council’s own Licensing Policy considerations are attached at the end of the report to assist members consider these representations.

**Debbie Rosenfeldt**  
**Licensing Officer**

<b>Wards affected</b>	<i>Haytor</i>
<b>Contact for any more information</b>	<i>Debbie Rosenfeldt</i>
<b>Background Papers (For Part I reports only)</b>	<i>Licensing Act 2003 Section 182 Guidance for Police and Licensing Authorities and Licensing Policy Considerations</i>
<b>Key Decision</b>	<i>No</i>
<b>In Forward Plan</b>	<i>No</i>
<b>Community Impact Assessment attached:</b>	<i>No</i>
<b>Appendices attached:</b>	<i>Appendix A – Location plan and plan of premises Appendix B – National guidance Appendix C – Policy Considerations</i>

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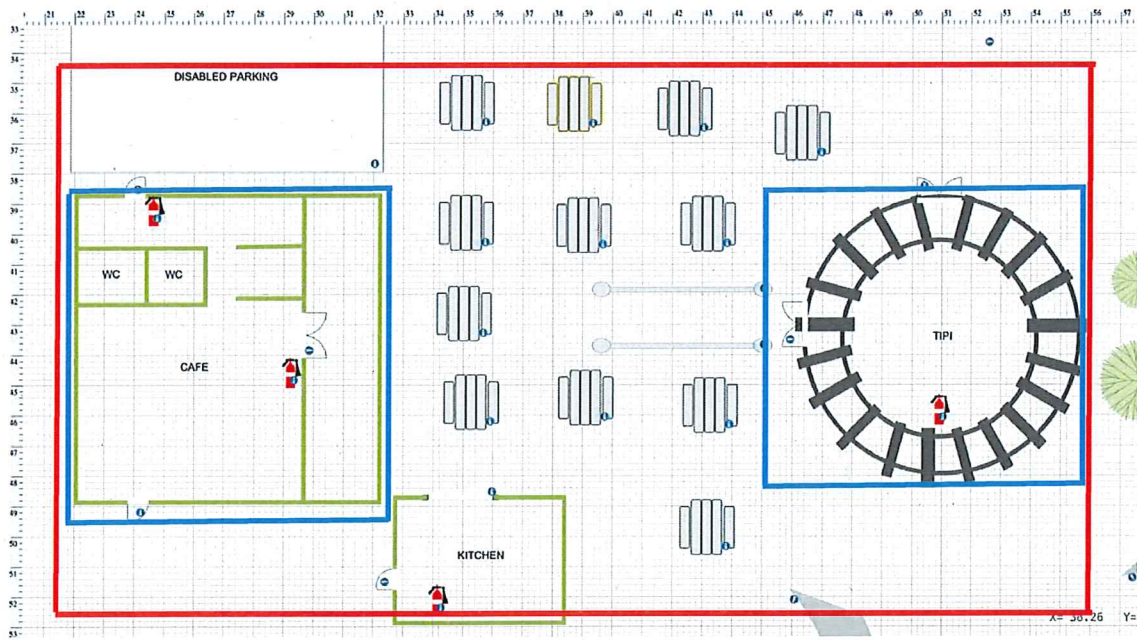
## Main Area Site Plan



Numbers in black denote area/diagrams attached separately or referred to in application.

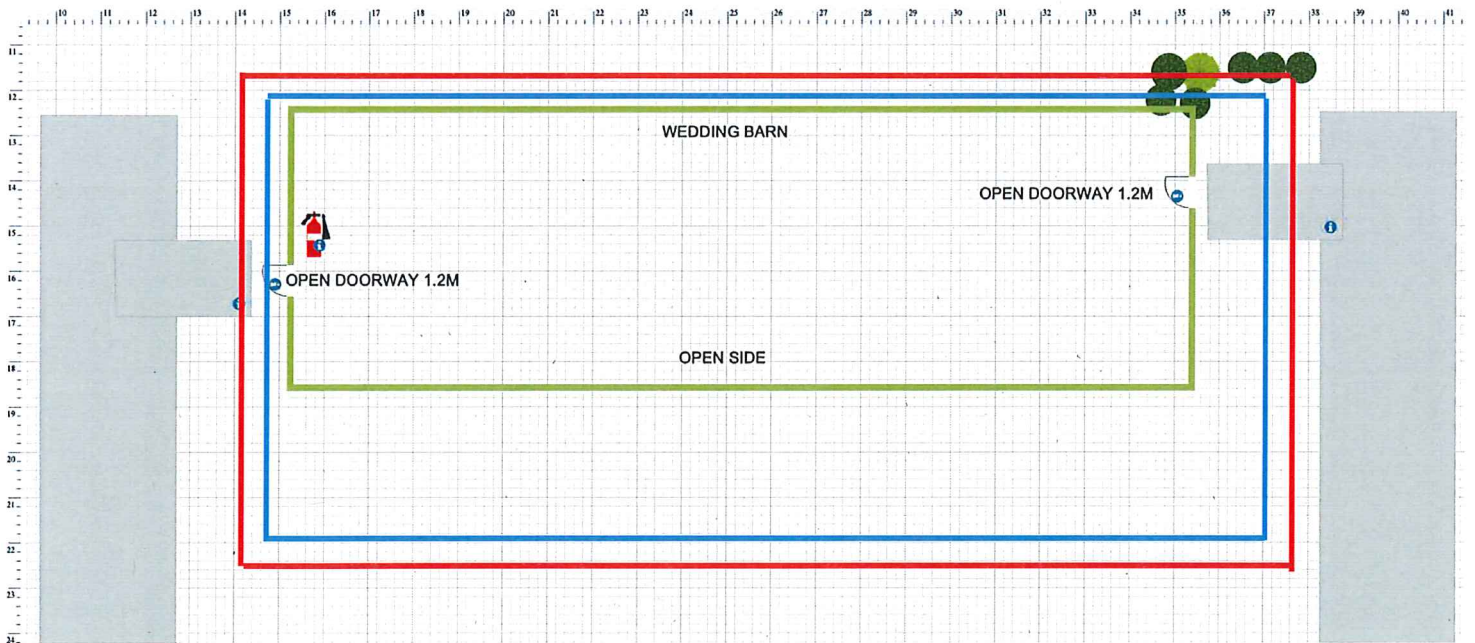
- 1. = Cafe/Tipi - main area used year round
- 2 = Wedding barn - used on occasions
- 3 = Temporary bar servers - occasional use during peak holiday periods
- 4 = Stage - hired in NOT a fixed structure. Proposed used 3rd weekend of May annually
- 5 = Poetry & Story telling corner - used summer months occasionally

# Area 1



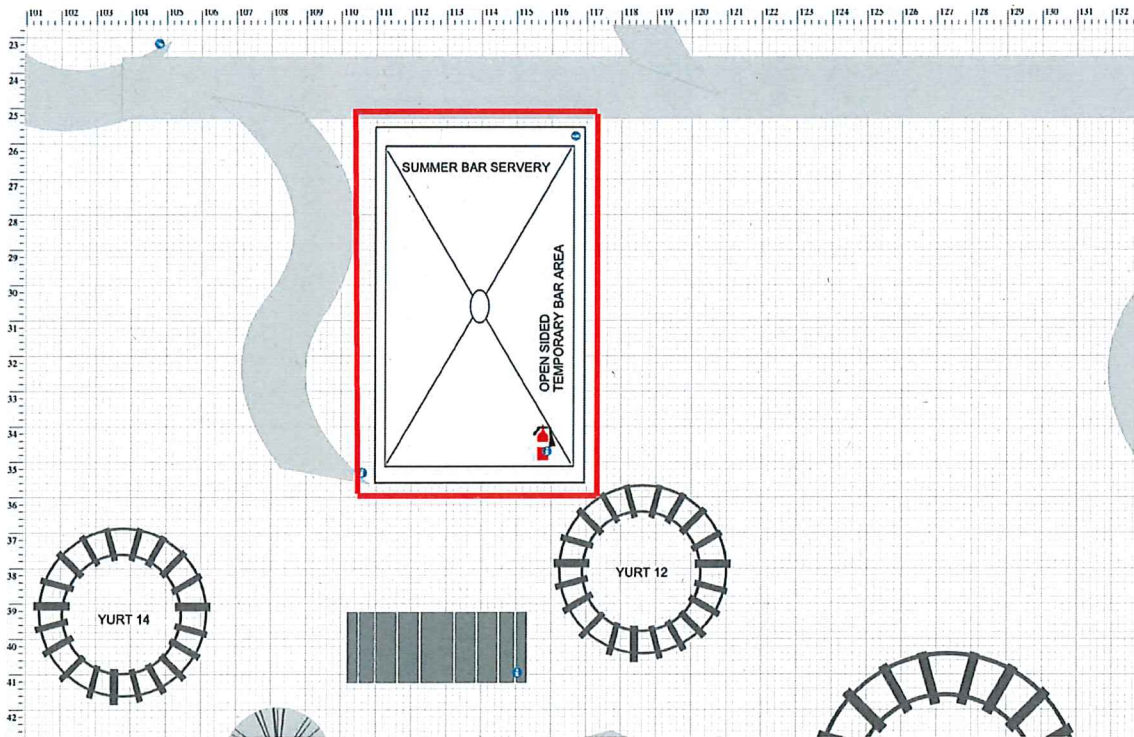
1

# Area 2



2

# Area 3



Proposed use: To serve campsite guests during peak summer holiday times



Belverdere, Staplehill Road, Liverton, Newton Abbot, TQ12 6FU

To the Licensing Department, Teignbridge District Council

Re: Woodland Café and Yurt Camp – Licensing request

I wish to respond to the application that has come to my notice for my neighbours the Woodland Café and Yurt Camp

I am an elderly widow (80) who has lived on this site from 2007 and owned the site for a number of years prior to this. We purchased the site when it was bordering a miniature railway site. I have endured the noise since the licence was granted to the site and made many requests to TDC Environmental Health over the years of the disturbance of particularly loud noise and kept diaries in the past.

It regularly means that I have to forfeit sitting in my garden during the day and close all windows to try and find some peace, but even then the noise and beat disturbs me and I find it difficult to get to sleep with this noise and are regularly woken in the night as the noise of visitors continues and the sound of crashing bottles from the site.

The thought of this extending further into the night troubles me and I fear that it will effect my health and I must say I am losing sleep worrying about the extensive noise I may have to endure.

Being a widow, the overall security of the site and the planned events to hold what could extend to extensive numbers, beyond I feel what could be the capacity of the site, concerns me.

I would appreciate if this application could be more extensively checked out and mitigating measures to ensure both the noise and the number of persons on site with security are then controlled so that what we originally purchased as a house in a quiet environment is returned and controlled.

Kind Regards

Mrs Anne Besley

[REDACTED]

---

**From:** Mike Besley [REDACTED] >  
**Sent:** 27 February 2023 16:18  
**To:** Ext Mail: Licensing  
**Subject:** Representation 2

To the Licensing authority

We write in relation to the extension and change of licensing arrangements for the above site. I am a close neighbour who backs onto the site and raise the following issues. It would appear that this request is to change licencing in several areas and all of which cause concern. There are no numbers for those to be catered at this site shown in the public notification for this application. Should this site be planning larger scale events (Which it appears by their adverts) then the whole premises infrastructure needs to be considered for environmental impacts at an early stage. Currently parking can overflow into Staplehill Road on some of the current events. It would seem this application should be subject to further scrutiny of a full planning application or change of usage application for the site.

This site has 6 separate domestic residences in close proximity and we are one of the neighbours to it that are closely effected by the change of this license. The noise also affects the neighbouring village of Liverton. The site is not well fenced bordering Staplehill Road for security and we have had intrusions in the past resulting in police responses and illegal camping on the verges of the road which the police with its limited resources were unable to rectify.

We understand the site has a current licence which covers music up to 10pm in an evening, currently the music that is played is outside and of a noise level and even though we have to close all windows, it still reverbs in the house. This means that going to sleep is disturbed and regularly we have been woken in the night with noise continuing, sometimes to 4am. This is a combination of the music being extended by an hour or two beyond licensed time, the visitors/ guests noise that continues long after this time in singing and loud talking/laughter, the exiting of vehicles. Finally, the noise of disposal of bottles etc continues throughout the night without consideration of the neighbours. The extension of the current restrictions will make disturbances beyond anything acceptable in the countryside area.

We understand that there are laws in place that *define a maximum acceptable amount of noise during 'night hours' which are between 11pm and 7am. After 11pm, permitted noise levels are: 34 dBA (decibels adjusted) where background noise is no higher than 24dBA. 10dBA above the level of background noise if this exceeds 24dBA.* This is the same noise as a vacuum cleaner and we currently experience noise far in excess of this and feel we will have to start registering complaints for even the current usage of the site. The current noise levels exceed this level already.

My concern is over the extension of hours and the current disregard or management of allowed licensing hours, This disregard may well be shown in the application for a "Charity"

Event in May and asking for a licence until 1.30am and it already being advertised as a 2 day, 24 hour event as pictured below. Before this licence was applied for it is being advertised as an event extending beyond the hours requested by this new application.



The adverts also show extended camping, which surely should be a planning application, an all-night cinema which again will be in the open air we presume – again this should be restricted for noise and the facilities examined for suitability for an event/s of this kind. Measures should be in place to make sure the all night cinema is controlled. Our concern is this licence gives them permission to run multiple events throughout the year of this nature. Many councils have guidelines that cover this kind of music events and further restrictions are placed on events in the countryside that are likely to effect neighbours on a regular basis, we feel this should be clearly stated by Teignbridge District Council and the other licensing authorities.

There is no acoustic fencing or noise mitigation at the site from any of its current activities and trees do not have acoustic value. It also seems nothing is planned to be installed at this stage with the increased licence requested extending to the whole site. The overall security to control events appears light and needs to be part of the licence being considered. .

It seems strange that full planning applications require noise and light pollution mitigations particularly when in an important bat zone and yet this submission bypasses any of the requirements of such an application. Should a licensing application of this nature, which changes the use of the site not also trigger a change of usage application, so that all areas of concern are adequately addressed. It is the wrong place to allow this to become an event centre for musical, other events and drinking for extended hours rather than an environmentally friendly camp site as was originally allowed for.

We have previously raised complaints on the drainage from the site which results in smells as the outflow from the sewage drains into the gully beside the road which leads into the watercourse. The smells are of untreated sewage. This is only noticed during higher use of the site but larger numbers will cause this issue to be magnified and the application should examine the legality and capacity of this site for sewage requirements.

This licensing request raises serious concerns over events being planned and we would have considered that greater scrutiny needs to take place in regard of this application

Kind Regards

Mike Besley

Home- Oaklea, Staplehill Road, Liverton, Newton Abbot, TQ12 6FU, [REDACTED]

Office- Brookside, Collett Way, Brunel Road, Newton Abbot, TQ12 4PH, [REDACTED]

**From:** Mike Besley <[REDACTED]>  
**Sent:** 02 March 2023 15:59  
**To:** Ext Mail: Licensing  
**Subject:** Representation 2 additional information

Ref 23/00197/LPRNEW

#### Additional comments

- 21/2/2019 Unauthorised parking of travellers on verge in Staplehill Road, (Don't want this repeating with campers or visitors)
- 2/3/2021 Break in 10.29 PM over fencing at Staplehill Road, broke into café and were gone by 11.00pm, Police arrived at 11.07pm, caught movements on our CCTV, just shows how easy it is to break into the site
- 1/7/2022 Email exchange over noise as below

**From:** [enquiries@yurtcamp.co.uk](mailto:enquiries@yurtcamp.co.uk) <[enquiries@yurtcamp.co.uk](mailto:enquiries@yurtcamp.co.uk)>  
**Sent:** Friday, July 1, 2022 4:55:54 PM  
**To:** Mike Besley <[REDACTED]>  
**Cc:** [woodlandcafedevon@gmail.com](mailto:woodlandcafedevon@gmail.com) <[woodlandcafedevon@gmail.com](mailto:woodlandcafedevon@gmail.com)>  
**Subject:** Re: Noise from Yurt Camp



Hi Mike,

I am very sorry that you have been disturbed by guest noise.

There was a wedding here yesterday, which was the only midweek wedding we have had for many years, and at present there are none booked in the future. The cafe always ensures that amplified music stops at 11pm at the latest, but it is more of a challenge to get wedding guests to keep quiet.

I have copied the cafe into this email, and you have my assurance that we will do our best to minimise night time noise.

Kind regards

David  
Owner

[www.yurtcamp.co.uk](http://www.yurtcamp.co.uk) Bookings Direct Tel. [REDACTED]



On 2022-07-01 07:59, Mike Besley wrote:

Hello David

Can I just send a friendly note at this stage over the noise from the yurt camp, it seems that it goes regularly beyond the permitted hours and they seem to forget there are neighbours. Last night it was early hours this morning before the noise subsided.

Kind Regards

Mike Besley

Oaklea, Staplehill Road, Liverton, Newton Abbot, TQ12 6FU



- 11-12/3/22 Very Noisy Friday evening until very late, well past 10pm, Neighbour sent a note by text to apologise because of it and inform us there was another event the next night, again music until gone 11pm
- 7-9/April 2022 V noisy event again and on 9<sup>th</sup> went onto 2am with shouting and cheering

The Woodside Café would appear to have added wooden structures to its building – not sure if these should have triggered planning consents

Kind Regards

Mike Besley

Home- Oaklea, Staplehill Road, Liverton, Newton Abbot, TQ12 6FU, [REDACTED]

Office- Brookside, Collett Way, Brunel Road, Newton Abbot, TQ12 4PH, [REDACTED]

---

**From:** Ext Mail: Licensing <licensing@Teignbridge.gov.uk>

**Sent:** 02 March 2023 12:53

**To:** Mike Besley [REDACTED] >

**Subject:** Woodland Cafe and Yurt Camp Application

**GRAPHUS**

**Warning:** Sender @licensing@Teignbridge.gov.uk is not yet trusted by your organization.

Please be careful before replying or clicking/downloading the attachment and URLs.

[Report Phishing](#) [Remove Banner](#)

powered by Graphus®

Good afternoon

Please see the attached letter regarding your representation to the above application.

Kind regards

**Debbie Rosenveldt**

**Licensing Officer**

**Tel:** 01626 361101 (Customer Support)

**Email:** [licensing@teignbridge.gov.uk](mailto:licensing@teignbridge.gov.uk)

[www.teignbridge.gov.uk](http://www.teignbridge.gov.uk)



TQ12 4XX

Teignbridge District Council, Forde House, Newton Abbot,

Save time and do it online [www.teignbridge.gov.uk](http://www.teignbridge.gov.uk)

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[Email disclaimer](#)

[REDACTED]

---

**From:** John Wallis <[REDACTED]>  
**Sent:** 27 February 2023 10:23  
**To:** Ext Mail: Licensing  
**Subject:** Representation 3

Dear Sir/Madam,

I am writing as a concerned resident of Liverton regarding the application of the Yurt Camp to have very late opening for music etc. The noise from the camp already carries right across the village with their existing permission of up to 10pm which often goes over the time. To extend this permission will be a literal nightmare for the village and will likely lead to behavioural issues in the early hours of the morning. I am quite confident that you would reject the application but just in case, this is my strongly held objection.

Kind Regards,

John Wallis.  
Sent from [Mail](#) for Windows



Paul and Zoe Singleton  
Stover Cottage  
Gorse Blossom Farm  
Staplehill Road  
Liverton  
TQ12 6FU  
28.02.23

The Licensing Section, Teignbridge District Council.

We are writing regarding the licencing application by Stuart Cooke, for the premises of Woodland Café and Yurt Camp.

The original basis for the opening of Yurt Camp was to make an environmentally friendly holiday site, sensitive to and protective of the immediate nature and natural environment on the site. To that end, extensive environmental surveys were carried out to assess, limit and mitigate against causing damage to the nature and wildlife in the area. Numerous bat boxes and bat nesting sites had to be installed to gain planning consent.

The proposed licence application by Stuart Cooke takes no account of the wildlife, nature or residents who live in very close proximity to the site.

### ***When is noise relevant to planning?***

*Noise needs to be considered when development may create additional noise, or would be sensitive to the prevailing acoustic environment (including any anticipated changes to that environment from activities that are permitted but not yet commenced). When preparing plans, or taking decisions about new development, there may also be opportunities to make improvements to the acoustic environment. Good acoustic design needs to be considered early in the planning process to ensure that the most appropriate and cost-effective solutions are identified from the outset.*

*Related policy: [paragraph 170e](#), [paragraph 180a](#), [paragraph 180b](#), [paragraph 182](#)*

*Paragraph: 001 Reference ID: 30-001-20190722*

*Revision date: 22 07 2019*

Source: <https://www.gov.uk/guidance/noise--2>

Since the involvement of Stuart Cooke and the Woodland Café at Yurt Camp, we have regularly and routinely been expected to endure breaches of the licence currently held. These take the form of extremely loud music during the day time and late into the evening, and loud crowd noise from Yurt Camp guests late into the night. It must be understood that the music being amplified is outdoor. Yurt Camp and Woodland Café do not have any substantial buildings. The music is performed outdoor or in a tepee tent. There is no sound insulation. This results in us not being able to sit our garden in the summer months, when Yurt Camp is holding events, weddings and parties, which occur regularly. We have to retreat to the indoors on sunny days, windows closed and still we hear the sound of live and recorded music being amplified to such an extent that we cannot find a peaceful place within our own house.

Yurt Camp and Woodland Café are located on the old Gorse Blossom Farm site, where there are 6 houses and a place of religious worship within 30m to 100m of the Yurt Camp site. The residents range from very young children to pensioners.

Regularly we cannot comfortably hear our TV over the sound of Woodland Cafes music and entertainment events which invades through our double-glazed windows. When the owners of Yurt Camp are asked to reduce the volume of the music, the response from them is 'the music doesn't bother me'. This only goes to illustrate the total lack of respect for their compliance with their licencing agreement and complete contempt and disregard for the local residents.

If granted, this licencing application would dramatically increase the hours which amplified music and public events could take place, starting at 8am until midnight and greatly increase the months these events could take place, including the summer months and Christmas and New Year.

Do we, as residents living in close proximity, not have the right to use of our gardens in the summer, free from amplified music, have the right to a peaceful nights sleep and enjoy Christmas and New Year without having to endure the invasion of amplified music. Our residency was here long before Woodland Café. The wellbeing and mental health of the residents must be taken into consideration.

There are laws in place which state the following:

*The maximum acceptable amount of noise during 'night hours' which are between 11pm and 7am. After 11pm, permitted noise levels are: 34 dBA (decibels adjusted) where background noise is no higher than 24dBA. 10dBA above the level of background noise if this exceeds 24dBA*

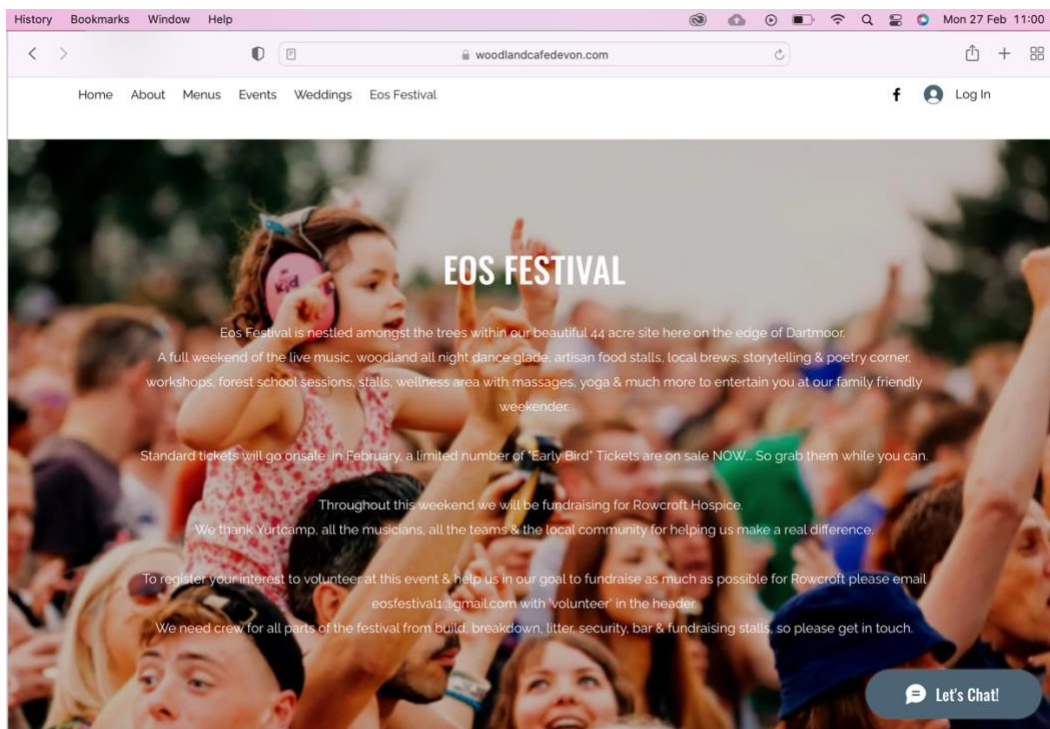
Within the licencing application, there are categories of;

*Exhibition of Film – on occasion during the summer months 8am to 11.30pm.*

*Performance of a Play – during the summer months 8am to 11.30pm.*

There is no cinema or theatre on the Yurt Camp site, therefore these events will be outdoor and the noise pollution from these will not be contained within a building. Additionally, there are strict laws about the age of viewers, film and theatre content in relation to children and various age categories. Given the contempt and flagrant breaches of the current licence by Stuart Cooke, we should only expect a disregard for compliance of film and theatre regulations.

This licencing application masks a major event which Woodland Café are intending hold on the Yurt Camp site during May 2023, the EOS Music Festival (19<sup>th</sup> and 20<sup>th</sup> May) to be held at Woodland Café/Yurt Camp. The licencing application does not clearly identify the event which Stuart Cooke is actively promoting on the Woodland Café website and clearly contravenes the licence which he is applying for. This suggest that he intends to break the licencing agreement if it is granted to him, just as he breaks his current licence. Please look at [www.woodlandcafe.co.uk](http://www.woodlandcafe.co.uk) where you see being advertised 24 hour dance music events, 3 music stages etc. and live and recorded music being played until 12.30am.



Source: screen shot from [www.woodlandcafe.co.uk](http://www.woodlandcafe.co.uk) 27.02.23

**LINE UP**  
toploader  
**PATTERN PUSHER!**  
SAMANTICS  
Rooftop  
HiFi LoFi

**EOS Music Festival 2023**  
19 & 20th May

**3 STAGES**  
**DANCE ARENA**  
**FOOD VILLAGE**  
**3 BARS**  
All night Cinema  
Luxury Yurt Hire  
Festival camping

**WOODLAND CAFE**  
**LIVERTON TQ12 6FU**

**LINE UP**  
THE TIND SCOVER HIPPIE  
SOUND OF SIRENS  
BAREFOOT BANDIT

Jam The Channel  
LAZY SNACKS  
CAVEMOUTH  
FIVE FINGER DISCOUNT  
FreakbyWire  
Rameagle  
Jess McAllister Band  
Southern Fried  
Groove Queens  
TEN TON MONKEY  
& MORE TBA...

**COCKTAIL BAR**  
Yoga  
WOODLAND WALKS  
Storytelling and Poetry corner  
Kids Activities including...  
Junior Rave  
Woodland Assault Course  
Bushcraft  
Circus Skills  
& MORE TBA...

facebook eosfestival  
instagram eosfestival

raising funds for rowcroft hospice

weekend ticket £60 | under 18's £30 | under 5's free  
Tickets available at: [www.woodlandcafedevon.com](http://www.woodlandcafedevon.com)

Source: screen shot from [www.woodlandcafe.co.uk](http://www.woodlandcafe.co.uk) 27.02.23

1. The licence application does not give mention of the EOS Festival. Instead, it casually states there will be a live music fundraising event on the 3<sup>rd</sup> weekend of May. (these dates correspond to the dates of the EOS music festival advertised ) The Woodland Café Website is actively promoting a weekend live music event, with 3 stages, all night cinema, all night dance glade, festival camping and more.
2. The current music line up has 17 live bands listed to perform and is being advertised on national internet platforms. This is not a small-scale fundraising event. It is an event at a considerable scale.
3. Yurt Camp currently has a camping permit for 50 tents which includes the 22 yurts which are permanently sited. The scale of the EOS event will need a far greater audience than the additional occupants of 28 tents. The current camping permit is based on the size of the site and its septic tank capacity. Furthermore, with the scale

of the event being advertised, the site will not accommodate additional camping. Where are the weekend festival visitors going to camp? What number of tickets are being sold? What scale of event does Yurt Camp have the licence to facilitate?

 Woodland Cafe  
3h · 🌐


**Camping & Campervan Tickets  
ON SALE NOW!!!**



 Eos Festival  
11h · 🌐

Camping & Campervan tickets on sale NOW!  
Early Bird tickets available until March 1st

<https://www.woodlandcafe.devon.com/event.../eos-festival-1>



**EARLY BIRD  
TICKETS**

AVAILABLE FROM  
[WWW.WOODLANDCAFEDEVON.COM](http://WWW.WOODLANDCAFEDEVON.COM)

 <b>DIFFERENT PUBLIC!</b> SAMANTICS 	 <b>Music Festival 2023</b> 19 & 20th May <b>3 STAGES</b> <b>DANCE ARENA</b> <b>FOOD VILLAGE</b> <b>3 BARS</b> All night Cinema Luxury Yurt Hire Festival camping	 SOUND SIRENS  SAGEFOOT BANDIT	 COCKTAIL BAR Yoga WOODLAND WALKS
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 Eos Festival  
29 January at 10:28 · 🌐

Our Early Bird tickets are only £50 for an adult weekend ticket!!  
Limited amount still available from  
<https://www.woodlandcafe.devon.com/event-details/eos-fes...> See more

Source: Woodland Café Facebook page

4. The Woodland Café and Yurt Camp Site does not have secure perimeters. The majority of its perimeters are defined by low post and rail fencing, which is old, often broken, easy to climb over and thin hedging which is easy to breach. It will not be possible for the organisers to police the whole perimeter of the site and therefore they will have no control over the numbers of people on the site. We have grave concerns for our personal security and that of other residents in the area as well as concerns over the risks posed to residents by visitors cars blocking roads preventing access to emergency services.
  
5. The amount of kit and equipment that a line-up of 17 bands requires and the number of food stalls and catering, will occupy all of Yurt Camps parking facilities. Therefore, we ask where will the high volume of Festival visitors park their cars? The site has limited parking capacity which is routinely overwhelmed at small events such as wedding events and visitors park randomly along Staplehill Road. Staplehill Road and the surrounding areas will become blocked. Where is the plan for parking? Where are the risk assessments for this event? Is it David Agers and Stuart Cookes cavalier attitude, that they will consider this to be beyond their remit and responsibility?
  
6. The current alcohol and music licence relates to the café area only. This new application suggests that alcohol can be sold across the 30+ acre site as well as amplified music. This presents a very different scenario and will increase noise pollution and noise intrusion

We consider that the increased hours detailed in the licence application are inappropriate for this residential area and will cause immense disruption to the well being of the residents. Additionally it is clear that Woodland Café intends breaching it's licence by holding the EOS Music Festival.

Yours sincerely

Paul and Zoe Singleton

## Appendix – Licence Application

*Teignbridge District Council as 'Licensing Authority' have received an application for a Premise Licence from Mr S Crook, Staplehill Road, Liverton, Newton Abbot TQ12 6FU*

*for a Premise known as Woodland Café and Yurt Camp*

*The application is for:*

*Sale of alcohol – Monday to Thursday 8am to 11pm, Friday and Saturday 8am to midnight, Sunday 8am to 11pm.*

*Non-Standard timings – Christmas Eve/Day and New Year's Eve/Day 8am to 1am.*

*Late Night refreshment – Friday and Saturday 11pm to midnight*

*Non-Standard timings – Christmas Eve/Day and New Year's Eve/Day 11pm to 1230am.*

*Recorded Music – Friday and Saturday 8am to midnight.*

*Non-Standard timings – Christmas Eve/Day and New Year's Eve/Day 8am to 1am.*

*Live Music – 3<sup>rd</sup> weekend of May for fundraiser event 8am to 11.30pm.*

*Exhibition of Film – on occasion during the summer months 8am to 11.30pm.*

*Performance of a Play – during the summer months 8am to 11.30pm.*

*Entertainment of a similar description – during the summer months 8am to 11.30pm.*

Paul and Zoe Singleton  
Stover Cottage  
Gorse Blossom Farm  
Staplehill Road  
Liverton  
TQ12 6FU  
02.03.23

The Licensing Section Teignbridge District Council

Further information, which we would like added to our representation in regard to the licensing application by Stuart Cooke, for the premises of Woodland Café and Yurt Camp.

**Devon County Wildlife Site – Sandpit Copse (Yurtcamp).**

The Majority of the Yurtcamp site falls within the Devon County Wildlife Site named Sandpit Copse.

“County wildlife sites are areas of public or private land that are rich in wildlife, often supporting rare or threatened habits and species”

Source - Devon Biodiversity Records Centre [www.bdrc.org.uk](http://www.bdrc.org.uk)

The site of Gorse Blossom Farm and Yurt Camp are a recognised habitat site for Lesser Horseshoe Bats. This was identified in the ecological surveys which were carried out and were an obligation demanded by Teignbridge Council in order for Yurtcamp to gain planning consent.

Yurtcamps wooded areas are ancient woodland sites with great biodiversity including rare native orchids and ancient oak trees.

The development of Yurtcamp site as a 'party, music, festival and events venue' is wholly incompatible with the environment in which it is located. The large volume of visitors to the EOS music festival will cause immense damage to the biodiversity and wildlife of this designated County Wildlife Site. The impact of the noise pollution upon the wildlife species on the site must also be considered incompatible with it's designated status. Any extension the licensing hours will only further cause degradation of this County Wildlife Site.

**Regarding Noise Issues.**

We have complained directly to David Ager (Yurt Camp owner) via text messages and WhatsApp messages about the excessively loud live and amplified music on numerous occasions and have a record of having done so on the following dates;

11th- 12th March

7th- 9th April

24th June

7th July



10th September

On each occasion there was no reduction in the volume of the music, and it continued until late (after 11pm).

On 2 occasions (2021 and 2022) we complained to Teignbridge District Council and completed the postal forms which they request you to complete with evidence. These were returned to the Council.

### **Regarding Fly Tipping.**

Below are photos of the fly tipping of commercial waste by Yurt Camp (old gas bottles, commercial dishwasher, old mattresses, and bed frames etc). These photos were sent to Teignbridge District Council, Environmental Health on 01.02.23. The case number is FS 482950104.

The location of this fly tipping is directly at the entrance to our property but on land owned by David Ager.



In the last week, David Ager (Yurt Camp) has had some of the waste removed but has left bed frames, mattress springs etc. (See photos below, taken 01.03.23). Last week we contacted the Environmental Health Department via the website, which stated that the case is now closed. However, there is still considerable waste and rubbish left in plain view.



We are very concerned that based on the previous behaviour of Yurtcamp, dumping commercial waste, issue like this will increase if events such as the EOS Music Festival are allowed to go ahead. More people, more rubbish, more dumping and fly tipping.

### **Security and Perimeter Fencing.**

The Yurtcamp site has low/waist height post and rail fencing, which is often broken and rotten. It is extremely easy to access the site over the fence or through the frequent gaps. At the EOS Music Festival, it will be impossible for the visitor numbers to be controlled or counted. This situation will cause problems for planning of services, maximum visitor numbers, insurance, security, crowd control etc. The photos below showing broken fencing were taken 01.03.23 on Yurt Camps boundary with Staplehill Road. All of Yurt Camps perimeter is in this condition.





Kind regards

Paul and Zoe Singleton

**From:** Carol <[REDACTED]>  
**Sent:** 03 March 2023 10:12  
**To:** Ext Mail: Licensing; [REDACTED]; Ext Mail: Environmental Control  
**Subject:** Representation 5  
**Importance:** High

Dear Sir

I am writing in reference to a new application for an extension or new license for the Above location.

Ilington Parish Council have been alerted of the plans that the owners are planning a 2 day festival in May details are included on the poster below.



**The Parish Council OBJECT to this event and ask the licensing department to consider the comments made by this council and NOT grant this application.**

Over the past years the owners of this site has breached their current licence and we have been given evidence of occasions when this has happened, some of those dates are listed below

- 21/2/2019 Unauthorised parking of travellers on verge in Staplehill Road, (Don't want this repeating with campers or visitors)
- 2/3/2021 Break in 10.29 PM over fencing at Staplehill Road, broke into café and were gone by 11.00pm, Police arrived at 11.07pm, caught movements on our CCTV, just shows how easy it is to break into the site
- 11-12/3/22 Very Noisy Friday evening until very late, well past 10pm, Neighbour sent a note to apologise because of it and inform us there was another event the next night, again music until gone 11pm
- 7-9/April 2022 V noisy event again and on 9<sup>th</sup> went onto 2am with shouting and cheering
- 24<sup>th</sup> June 2022 Excessively loud live and amplified music no reduction in the volume of the music and it continued until late (after 11pm).

- 7th July Excessively loud live and amplified music no reduction in the volume of the music and it continued until late (after 11pm).
- 10th September Excessively loud live and amplified music no reduction in the volume of the music and it continued until late (after 11pm).

We have been informed that the immediate neighbours have made numerous complaints to you regarding the excessive noise and as far as they are aware NO ACTION has been taken against the breaches of their license

Furthermore we have been made aware of Regarding Fly Tipping again the details of this are below, including the reference number of the case FS 482950104.

The location is directly at the entrance to our property but on land owned by David Ager.



In the last week, some of the waste removed but has left bed frames, mattress springs car tyres etc. (See photos below, taken 01.03.23). Last week Environmental Health Department was contacted via the website, which states that the case is now closed. However, there is still considerable waste and rubbish left in plain view.



I will copy this email to other relevant parties and consultee and hope that you will take these comments seriously when make your decision on the New application for either extension or new temporary licence

Regards

Carol Retallick (Clerk)

## Ilington Parish Council

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**Clerk:** Mrs C Retallick, Bagtor Barton, Ilington, Newton Abbot, Devon, TQ13 9RT.

**Telephone No:** [REDACTED] **E Mail:** [clerk@ilsingtonpc.org](mailto:clerk@ilsingtonpc.org)

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please don't print this e-mail unless you really need to.

[REDACTED]

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**From:** Trevor Cox <[REDACTED]>  
**Sent:** 11 March 2023 18:34  
**To:** Ext Mail: Licensing  
**Subject:** Representation 6

I am pleased a local venture wishes to expand its business. however, previous events held on this site have led to a large area of tq12 being subjected to extremely loud music late into the night. There appeared to be no control or limit to the noise level as it was unbearable in Liverton village and other areas .. what restrictions on noise levels will be enforced ?.

Looking at the frequency and times of possible events , I would imagine if an individual home owner behaved this way the police/council would soon be called.

I believe you have a duty to protect the people living in the area from what ( without regulation ) would constitute antisocial behaviour. I appreciate that some people want to party and enjoy loud music but loud enough to keep people awake at that distance is not a requirement to have a good time, children need to sleep and some adults need to work the next day. ..I would appreciate you taking these comments into consideration.

Kind regards...Trevor Cox.

Sent from [Outlook for Android](#)



[REDACTED]

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**From:** Emma Cox <[REDACTED]>  
**Sent:** 11 March 2023 17:45  
**To:** Ext Mail: Licensing  
**Subject:** Representation 7

Dear Sirs

I would like to object to parts of the application by Mr Crook for Woodland Cafe and Yurt Camp. [Woodland Cafe and Yurt Camp - Teignbridge District Council](#)

Given its location, any noise from the Woodland Cafe and Yurt Camp travels clearly across the village of Liverton.

Live music for the 3rd weekend in May for their fundraising event is understandable, and indeed I support their event, but the end time of 11.30 pm is too late.

The proposal for music up until midnight on a Friday and Saturday would be highly disruptive. People need to sleep, and in the summer months, they often have windows open in their homes, meaning those living near the Woodland Cafe & Yurt Camp can hear any music played there. Unfortunately, having experienced this over the last few summers, it is tough to ignore. The same applies to films, plays and other entertainment that requires audio equipment.

The Liverton area is home to a typically older population, with 41% over 55. Disruption until midnight every weekend will take its toll. A further 15.4% are children, again likely to be disturbed by the noise (source, Office for National Statistics Census 2021).

It's great to see local businesses doing well, but it's better to see them doing so whilst showing consideration for their neighbours. An end time for any music or entertainment of 11.00 pm at the latest would be more acceptable.

Thank you for considering the points I raise.

Yours faithfully

Emma Cox  
21 Shapley Way  
Liverton  
TQ12 6PN

[REDACTED]

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**From:** Cate Hewison <[REDACTED]>  
**Sent:** 12 March 2023 20:08  
**To:** Ext Mail: Licensing  
**Subject:** Representation 8

Dear Sirs

I notice that the Woodland Café and Yurt camp have made an application for extended licencing hours.

This is a cause of concern to us as we live nearby and find the very loud music, loud bass beats and shouting/singing most disturbing, especially as this tends to go on after the allocated hours.

In the summer months we find we have to close our windows at night as this disturbs our sleep. We also do enjoy sitting outside in the summer evenings but have had to go inside and close the windows on several occasions as the music has got too loud. We are therefore concerned that if this permission is granted the noise will be prolonged well into the night and early hours of the morning.

Liverton is an area made up mostly of elderly persons who don't like the extremely constant disturbance, on most Saturday evenings during the summer months, and I've heard many complaints regarding this.

Another concern is that as being a member of the Church in Staple Hill Road this could disturb our services which is rather a worry to ourselves. We have also noticed on our way to the Church that from time to time there have been camper vans and cars parked randomly in the road.

We therefore recommend that you refuse this application.

Regards

*Colin & Cate Hewison  
Hedgerows  
9 Benedicts Road  
Liverton  
TQ12 6JL*

[REDACTED]

[REDACTED]

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**From:** Lydia Oliver <[REDACTED]>  
**Sent:** 12 March 2023 19:40  
**To:** Ext Mail: Licensing  
**Subject:** Representation 9

Dear Sirs

As a resident of Liverton I am writing to you regard the licence application for the Woodland Café & Yurt Camp at Staplehill Road Liverton.

There have already been complaints of the camp playing loud music late into the night and I've had sleep disturbed in the summer months when windows have been open. Also, sitting out in the garden can be very trying when there is loud music being played and you're entertaining guests. I'm concerned they will prolong things beyond these hours if permission is granted.

As a member of the church in Staplehill Road, I am also concerned that this will disturb my worship as the camp is situated directly behind.

Liverton is a small, quiet village with a majority of mature residents who have opted to live here for its peaceful environment, and I feel this would contribute to that atmosphere being taken from us.

I would be grateful therefore, if you would take all this into account and recommend refusal for this extended licence application.

Yours faithfully

Lydia Oliver  
Star View  
Liverton  
TQ12 6HH

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Lydx

**PRESTON DOWN TRUST**

Registered Charity No: 1155382

10 Aspen Drive, Newton Abbot Devon TQ12 4TN

Phone: [REDACTED]

Email: [enquiries@prestondowntrust.org](mailto:enquiries@prestondowntrust.org)

Trustees: Michael S Besley Laurence E Buckley Michael G Scott John D Wallis Stanley J Wallis

**13 MARCH 2023**

**LICENSING SECTION  
TEIGNBRIDGE DISTRICT COUNCIL  
FORDE HOUSE, BRUNEL ROAD  
NEWTON ABBOT TQ12 4XX**

Email: [licensing@teignbridge.gov.uk](mailto:licensing@teignbridge.gov.uk)

Dear Sir/Madam

**PROPOSED LICENCE APPLICATION MR S COOK STAPLEHILL ROAD, LIVERTON  
NEWTON ABBOT TQ12 6FU WOODLAND CAFÉ AND YURT CAMP**

Preston Down Trust provides a place of worship registered under the Places of Worship Registration Act 1855 on premises immediately adjoining Woodlands Café/Yurt Camp

Our entrance gate is immediately adjoining theirs and we have a common boundary

We oppose the grant of the licence on the terms set out in your published notice on the following grounds:

- The applicants are seeking a licence for various activities between 8 a.m. and 11.30 p.m. which are more than likely to have an adverse impact on our holding church services
- There is reference to Live Music on the third weekend in May for fundraiser event 8 a.m. to 11.30 p.m. However a music festival is currently being advertised for that weekend on this site
- The site is entirely unsuited to holding such a music festival
- Parking would be a serious problem
- The risk of trespass to our property by persons attending these events is high
- Vehicular access for our worshippers to our property is likely to be hindered
- Potential safeguarding issues with children and young persons included in our congregation

We respectfully ask you to take account of our objection, which we are copying to the Police

Yours faithfully

**LAURENCE E BUCKLEY**  
Trustee

[REDACTED]

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**From:** Michael Biswell <[REDACTED]>  
**Sent:** 15 March 2023 15:27  
**To:** Ext Mail: Licensing  
**Subject:** Representation 11

Dears Sirs,

Following the information provided in the application I live a little way from the site in Halford.

They have held the odd past event which we sometimes hear as a background noise, however my concern is the music and entertainment on what would become a weekly basis and the perhaps continuous back ground beat of music to near midnight on every weekend and perhaps during the week.

I am concerned there is no reference to the decibel level that would be allowed and how the site will include sound deafening to prevent noise pollution to nearby residents.

Although it appears to be mainly finished by 23:30 hours, these entertainments can go on so I would expect monitoring from time to time.

I can be contacted via my email.

Your faithfully

Michael Biswell.

Sent from my iPad



## National Guidance

### National guidance regarding premises is as follows:-

- 14.9 All statements of policy should begin by stating the four licensing objectives, which the licensing policy should promote. In determining its policy, a licensing authority must have regard to this Guidance and give appropriate weight to the views of consultees.
- 14.10 While statements of policy may set out a general approach to making licensing decisions, they must not ignore or be inconsistent with provisions in the 2003 Act. For example, a statement of policy must not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.
- 14.11 Similarly, no statement of policy should override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.
- 14.12 Statements of policies should make clear that:
- licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act; and
  - conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.
- 14.13 A statement of policy should also make clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.
- 14.29 As noted above, there should be an evidential basis for the decision to publish a CIA. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:
- Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
  - Statistics on local anti-social behaviour offences;
  - Health-related statistics such as alcohol-related emergency attendances and hospital admissions;
  - Environmental health complaints, particularly in relation to litter and noise;
  - Complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
  - Residents' questionnaires;
  - Evidence from local and parish councillors; and
  - Evidence obtained through local consultation.

- 14.30 *The licensing authority may consider this evidence, alongside its own evidence of the impact of licensable activities within its area, and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:*
- *Trends in licence applications, particularly trends in applications by types of premises and terminal hours;*
  - *Changes in terminal hours of premises;*
  - *Premises capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.*
- 14.33 *After considering the available evidence and consulting those individuals and organisations listed in section 5(3) of the 2003 Act and any others, a licensing authority may be satisfied that it is appropriate to publish a CIA. The CIA should also be considered alongside local planning policy and other factors which may assist in mitigating the cumulative impact of licensed premises, as set out in paragraph 14.46.*
- 14.40 *In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. Having published a CIA a licensing authority must have regard to the assessment when determining or revising its statement of licensing policy. It is therefore expected that, in respect of each relevant application in the area concerned, the licensing authority will be considering whether it is appropriate to make a representation to its committee as a responsible authority in its own right. The CIA does not, however, change the fundamental way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a licensing authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.*
- 14.41 *The CIA must also stress that it does not relieve responsible authorities (or any other persons) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published. It remains incumbent on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing. As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.*
- 14.44 *A CIA should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.*



14.46 CIAs must not impose quotas based on either the number of premises or the capacity of those premises. This is because quotas that indirectly have the effect of predetermining the outcome of any application would have no regard to the individual characteristics of the premises concerned.'

APPENDIX

### **National guidance regarding licensing hours is as follows:-**

- '13.44 With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.'*
- 13.45 Statements of licensing policy should set out the licensing authority's approach regarding licensed opening hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area. The statement of licensing policy should emphasise the consideration which will be given to the individual merits of an application. The Government recognises that licensed premises make an important contribution to our local communities, and has given councils a range of tools to effectively manage the different pressures that licensed premises can bring. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.'*

### **National guidance regarding non-duplication of other regimes is as follows:-**

- '13.14 Statements of licensing policy should reflect the general principles regarding licence conditions set out in Chapter 1 of this guidance.'*
- 13.57 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.'*
- 13.58 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.'*

### **National guidance regarding standardised conditions:-**

- '10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives'*



## Licensing Policy Considerations

It is considered that the following have a bearing upon the application:

- 3.1 The Council, as the Authority, has a duty under Section 4 of the Act to carry out its licensing functions with a view to promoting the four licensing objectives. Each objective is of equal importance and there are no other licensing objectives. The licensing objectives are:
- the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance and
  - the protection of children from harm
- 3.2 These objectives are the only matters to be taken into account in determining applications and any conditions attached must be necessary to achieve the licensing objectives. If there are no relevant representations then an application must be granted and will be subject only to the mandatory conditions and the applicant's operating schedule.
- 4.1.1 The licensing function is only one means of delivering the licensing objectives and should not be seen as a panacea for solving all alcohol and entertainment-related problems within the community. The Authority recognises that as well as the licensing function there are a number of other mechanisms for addressing alcohol-related crime and disorder such as:
- planning controls
  - Community Alcohol Partnerships
  - installation and/or expansion of CCTV systems in problem areas
  - Public Spaces Protection Orders (Crime and Policing Act 2014)
  - S.27 and s.30 Dispersal Orders (Anti-Social Behaviour Act 2003)
  - police powers to close some premises for up to 24 hours in extreme cases of disorder or excessive noise (Licensing Act, ss.160 & 161)
  - the power of Responsible Authorities and other persons to apply for a review of the licence (see 9.2)

The Authority will therefore continue to work in partnership with other licensing authorities, the Responsible Authorities, other agencies such as South Devon and Dartmoor Community Safety Partnership and with local businesses and residents in a co-ordinated approach to tackling alcohol-related crime and anti-social behaviour.

- 4.1.3 In discharging its licensing function, the Authority will comply with relevant legislation Section 17 Crime and Disorder Act 1998, The European Convention on Human Rights, which is applied by the Human Rights Act 1998, The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 and Equality Act 2010.

The licensing authority will also have regard to other legislation, strategies, policies and guidance in its decision making.

- 4.1.4 The central purpose of the licensing function is to promote the licensing objectives through the effective regulation of licensed premises, qualifying clubs and temporary events. The Authority is keen to foster a safe and vibrant leisure economy and will work with applicants and licence holders to encourage and sustain well managed premises which make a positive contribution to the community. The Authority will expect applicants and licence holders to demonstrate that they have given thought to and have in place adequate measures to ensure that the operation of their premises will not have an adverse effect on the quality of life of persons living and/or working in the vicinity of the premises.
- 4.3.3 The Authority recognises that it is a fundamental principle of the Act that the licensing function should not duplicate other statutory regulation.
- 5.3.1 When determining a licence application, the overriding principle adopted by this Authority will be that each application will be determined on its merits. The Authority will have regard to any guidance issued by the Home Office, this Statement of Licensing Policy and any measures it deems necessary to promote the licensing objectives. The Authority may depart from the guidelines in this Policy if it has justifiable and compelling reasons to do so. The Authority will give reasons for any such departure from policy.
- 5.3.2 The Authority will expect applicants to demonstrate in their applications active steps for the promotion of the licensing objectives. When determining an application, a key consideration for the Authority will be the adequacy of measures proposed in the Operating Schedule to promote the licensing objectives having regard to the type of premises, the licensable activities to be provided, the nature of the location and the needs of the local community.
- 5.3.3 The Authority will also have regard to wider considerations affecting the residential population, businesses and the amenity of an area. These include alcohol-related violence and disorder, anti-social behaviour, littering, fouling, noise and the capacity of the infrastructure and police resources to cope with the movement of large numbers of people, particularly late at night and in the early morning.
- 5.3.4 Since the introduction of the Act, the Authority's experience is that the vast majority of complaints about licensed premises are caused by public nuisance, in particular excessive noise from live and recorded music and disturbance caused by customers congregating outside licensed premises. The Authority will expect applicants to have particular regard to these issues and to include in their Operating Schedules adequate and effective steps to control noise and disturbance from their premises. Existing licence holders will also be expected to demonstrate – through the effective management of their premises – that they are taking appropriate and reasonable steps within their control to minimise disorder, anti-social behaviour and public nuisance.

*Public nuisance is not defined in the Licensing Act 2003 and retains its broad common law meaning. It should be noted that public nuisance can include low-level nuisance affecting a few people living locally as well as major disturbance affecting the whole community. It may also include the reduction of the living and working amenity and environment of persons and businesses in the area of licensed premises. (Home Office Guidance 2.16 (S182 April 2018))*

- 5.3.5 When deciding whether to grant a licence, the Authority may take account of any non-compliance with other statutory requirements brought to its attention, if these undermine the licensing objectives. This is because any non-compliance with other statutory requirements may demonstrate that the premises are unsuitable for the activities

proposed, or that the management of the premises is not sufficiently competent to protect the public from harm or nuisance.

- 5.3.6 When determining an application, the Authority will consider all relevant evidence, both oral and written, provided by parties to a hearing. Evidence which is irrelevant may be disregarded. The Authority encourages applicants and persons making representations to attend hearings so that they can give evidence. Where an individual fails to attend the hearing, the Authority will consider their application or representation but may attach less weight to it.
- 5.3.7 It should be noted that, when determining an application, the Authority is making a judgement about risk. A key purpose of the licensing function is not to respond to crime and disorder, nuisance or public harm once it has happened but to make an informed assessment of the risk of such things occurring if a licence is granted and to take such steps as it considers appropriate to prevent or minimise such risks.
- 3.5.1 Public nuisance can include low level nuisance affecting a few people living locally, as well as a major disturbance affecting the wider community. Nuisance is generally attributable to noise (from loud music or from rowdy customers), vibration, light pollution, noxious smells and litter. Applicants will be required to demonstrate that they have adequate measures in place in their applications to prevent nuisance and disturbance.
- 3.5.2 Noise from people entering and leaving licensed premises, particularly late at night or in the early hours of the morning, can be a significant problem. Customers under the influence of alcohol are often less inhibited about their behaviour and may be unaware of the noise they are creating. As background noise levels are lower at night, any noise is more intrusive for residents trying to sleep.
- 3.5.3 The Authority will require applicants to take appropriate and proportionate measures for the prevention of public nuisance. Such measures may include those listed in the [Authority's Information Pack – Pool of Licensing Conditions](#)
- 6.1 In general, the Authority will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence with hours beyond midnight higher standards of control and supervision will be expected in order to promote the licensing objectives - especially for premises situated in or near residential areas.
- 6.2 The Act does not provide for standard closing times. Licensed premises will generally be permitted to sell alcohol during the hours they intend to open provided they can demonstrate to the satisfaction of the Authority that the premises will be operated in a manner consistent with the licensing objectives, Home Office guidance (S182) and this Policy. However, there is no presumption that applications for extended hours will take precedence over the human rights of local residents and businesses.
- 6.3 The licensed hours will normally be approved where the applicant can show that the proposal would not adversely affect the licensing objectives. The Authority may, however, set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area or is necessary to achieve one or more of the licensing objectives.

*Home Office Guidance 10.14 (S182 April 2018). If the Licensing Committee or a sub-committee believes that granting longer hours would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.*

- 6.4 The Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Flexible licensing hours in relation to the sale of alcohol may therefore be considered as a potential means of reducing friction at late night food outlets, taxi ranks and other 'flashpoints' in areas where there have already been incidents of disorder and disturbance.
- 6.5 In considering licence applications, the Authority will consider the adequacy of measures proposed to deal with the potential for crime, disorder and/or nuisance having regard to all the circumstances of the case. The Authority strongly encourages the adoption of best practice. This includes the expectation, as an item of best practice that CCTV will be provided in those premises that wish to trade in the sale of alcohol beyond midnight for the purpose of preventing crime and disorder and public safety. Applicants should carry out a risk assessment with regard to CCTV and are expected to include CCTV in their operating schedule. Where they elect not to do so, they are strongly advised to provide information explaining that omission. For example, that the risk assessment has shown CCTV to be unnecessary.
- 7.1 Conditions attached to a premises licence or club premises certificate are a key element of the regulatory framework established by the Act. There are three types of conditions:
- mandatory conditions set out in the Act,
  - conditions consistent with the operating schedule, and
  - conditions imposed by the Authority.
- The Licensing Authority may only impose conditions on a premises licence or club premises certificate where it has received a relevant representation about an application. The application will then be determined at a hearing by a Licensing and Regulatory Committee. If no relevant representation is received, the application must be granted on the terms applied for subject only to the mandatory conditions and conditions consistent with the Operating Schedule.*
- 7.2 Conditions are crucial in setting the parameters within which premises can lawfully operate. Any contravention of a condition on a premises licence or club premises certificate is a criminal offence so it is essential that conditions are worded clearly, precisely and unambiguously. In addition, conditions must:
- be appropriate, reasonable and proportionate
  - be enforceable
  - not duplicate other statutory requirements
  - be relevant to the particular type, location and character of the premises concerned
  - not be standardised
  - not replicate offences set out in the Act or in other legislation
  - be written in a prescriptive format
- 7.3 The Authority encourages applicants to seek technical advice from the appropriate Responsible Authorities when preparing their Operating Schedules as this will enable any problems to be resolved at an early stage and will reduce the likelihood of representations.
- 7.4 Experience has shown that many of the conditions volunteered by applicants are poorly worded, unclear or ambiguous and therefore unenforceable. As an aid to applicants, the Authority has prepared a menu of suggested measures to promote the licensing objectives which applicants are encouraged to consider when preparing their operating

schedules. These measures are not prescriptive but will help to ensure that licence conditions are expressed clearly and consistently and enable enforcement to be carried out equitably. The conditions can be viewed within the [Information Pack](#). The Authority, in consultation with the applicant, may amend the wording of proposed conditions where this is unclear, ambiguous or unenforceable.

*Home Office guidance 10.5 (S182 April 2018) states that it is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.*

- 7.5 The Authority will pay particular attention to the effect – potential or actual - of licensable activities on those living, working or otherwise engaged in the area concerned and, where relevant representations are received, may attach conditions if it considers it appropriate for the promotion of the licensing objectives.
- 7.6 Conditions attached by the Authority to Premises Licences and Club premises certificates will relate to matters falling within the control of individual licensees. It is recognised that the licensing function cannot be a mechanism for the control of disorderly behaviour by individuals once they are beyond the direct control of the licence holder. However, the Authority and Responsible Authorities may take action where it can be established that there is a clear linkage between disorderly behaviour and a specific premises.
- 7.7 The Authority will not impose inappropriate or over-burdensome conditions on licences. The Authority may, however, impose conditions where existing legislation does not provide adequate controls and additional measures are considered to be appropriate for the promotion of the licensing objectives.
- 7.8 Although it is not a legal requirement, the Authority recommends as good practice - in respect of premises licensed to sell or supply alcohol for consumption on the premises – that a Personal Licence holder is on the premises at all times to make or authorise such sales or supplies. The Authority is keen to encourage the presence of properly trained staff on licensed premises. Applicants may wish to consider including this as a condition of licence, where appropriate, as a measure to promote the licensing objectives. Where this is not possible (because the premises is too small or because staffing levels do not permit) or when the Premises Supervisor/Personal Licence holder will be absent for a significant length of time, a responsible person should be authorised to oversee the sale of alcohol in the place of the Premises Supervisor/Personal Licence holder. The Authority will expect the authorisation to be made in writing, kept securely on the premises and made available for inspection by an authorised person if requested. Copies of the authorisation should be sent to the Authority and the police.

*NB. 'Authorisation' does not mean direct supervision. The government recommends that Personal Licence holders give specific written authorisations to individuals they are authorising to sell or supply alcohol and that such individuals are clearly identified (Home Office Guidance 10.29 - 10.35 (S182 April 2018))*

- 8.1 Cumulative impact assessments (CIA) were introduced by the Policing and Crime Act 2017, with effect from 6 April 2018.
- 8.4 If the Authority receives relevant representations suggesting that the cumulative impact of new licences is leading to an area becoming saturated with premises of a particular type and thereby creating problems of disorder and nuisance over and above the impact from the individual premises themselves, the Authority may consider the issue of cumulative impact when determining an application. The onus is on any person, or

organisation, making such representations to prove the assertion that the grant of the licence would cause the cumulative impact claimed.

- 8.5 The Authority does not propose to operate a quota system of any kind, which would have the effect of pre-determining any application; nor does it seek to impose general limitations on trading hours in particular areas. The Authority recognises that pubs, clubs, restaurants, hotels, theatres, concert halls and cinemas have contrasting characteristics and styles of operation. Proper regard will be given to those differences and the impact they are likely to have on the promotion of the licensing objectives
- 11.1 The Authority recognises that drug use is not something that is relevant to all licensed premises. However, where relevant representations are received, the Authority may need to impose special conditions for certain types of venues in order to reduce the sale and consumption of drugs and to create a safer environment for customers using the premises. The conditions to be imposed in such cases will be taken from the Government Department pool of conditions which take into account the report "Safer Clubbing" published by the Home Office. The sale or use of new psychoactive substances (NPS) (so called Legal Highs) the Authority will consider any issue with NPS in line with current legislation and government policy. Where the Authority deems such conditions to be appropriate for the promotion of the licensing objectives, it will seek advice from the local Drugs Action Team and the Police.
- 12.1 Whenever any persons are employed at licensed premises to carry out any security activity, all such persons must be licensed by the Security Industry Authority. The Authority recognises that certain premises, because of the nature of their operation, their capacity, their licensed hours and the licensable activities provided, may require stricter supervision for the purpose of reducing crime and disorder and public nuisance. In such cases, where relevant representations are received, the Authority may impose a condition that licensed door supervisors must be employed at the premises either at all times or at such times as certain licensable activities are being carried out.
- 12.2 The Authority recognises that Door Supervisors have an important function in terms of supervising customers not only inside premises but also outside. Door Supervisors will therefore be expected to take a pro-active role in managing the behaviour of customers outside premises in order to minimise any disturbance and nuisance to nearby residents. Licence holders should ensure in particular that, at closing times, they have sufficient Door Supervisors to effectively control 'surges' of customers leaving premises.
- 12.3 Whenever security operatives are employed at licensed premises to carry out any security function such operatives must be licensed by the Security Industry Authority (SIA). Competent and professional door supervisors are key to public safety at licensed premises and the provision of door supervisors is an action point for the leisure industry to consider in the Home Office Alcohol Strategy.

It is a mandatory condition of a Premises Licence that where the licence requires personnel to carry out security activity (e.g. screening of customers, dealing with conflict management, crowd control) such personnel are licensed by the Security Industry Authority. (Licensing Act 2003, s.21).