

E-mail: [comsec@teignbridge.gov.uk](mailto:comsec@teignbridge.gov.uk)

12 September 2023

## LICENSING AND REGULATORY SUB-COMMITTEE

A meeting of the **Licensing and Regulatory Sub-Committee** will be held on **Wednesday, 20th September, 2023** in the **King Charles Room - Old Forde House** at **11.00 am**

PHIL SHEARS  
Managing Director

### **Membership:**

Councillors Atkins, Gearon and Rollason

**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. **Election of Chair**  
To elect a Chair for the meeting.
2. **Apologies**
3. **Declarations of Interest (if any)**
4. **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.

5. **Request for Private Hire Vehicle Licence for Vehicle over 5 years - SJ17 LBT** (Pages 3 - 18)
6. **Request for Hackney Carriage Vehicle Extension for further 12 months - YS12 UHJ** (Pages 19 - 42)
7. **Request for Hackney Carriage Vehicle Extension for further 12 months - EY55 OUD** (Pages 43 - 64)

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)

**TEIGNBRIDGE DISTRICT COUNCIL**

**LICENSING AND REGULATORY SUB COMMITTEE**

**20 September 2023**

**PART I**

<b>Report Title</b>	<b>Request for Private Hire Vehicle Licence for Vehicle over 5 years. SJ17 LBT Silver Renault Traffic</b>
<b>Purpose</b>	For the Committee to consider the request included in this report, representations made by the owner of the vehicle and to determine whether the vehicle is fit for purpose and should be issued with a licensed plate.
<b>Applicant</b>	Mr C Akbaba via Frankies Taxis
<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 licence B: MOT history C: Photographs

**1. APPLICATION DETAILS**

1.1 Vehicle first registered – 21 August 2017

Age of vehicle, if granted - 6 years and 1 month.

The vehicle does not meet the Council’s licensing policy as it is over 5 years of age.

1.2 MOT valid until 1 March 2024 with 1 advisory.

1.3 Vehicle inspection booked at the Depot on 14 September – details to be provided at the hearing.

1.4 **Licensing Officer:**  
Vehicle inspected -  
Officer comments:

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

Recommendation:

Members to determine whether to grant a licence or not.

## **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.*

- 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, were as follows:

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

- 2.7 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.'*

### **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 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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## Beth Tipton

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**From:** Frankies Taxis Teignbridge  
**Sent:** 30 August 2023 13:51  
**To:** Ext Mail: Licensing  
**Subject:** Committee Request - FS-Case-543092187

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

✓

Good afternoon,

Please may we request a committee meeting for this application.

This vehicle has previously been licensed under Torbay Council and has been consistently passing the tests to renew it's license.

It has a good amount of miles on it considering it's usage in the trade.

We believe that adding another vehicle of this size to the area would be beneficial to the area as there are a high demand for transporting larger groups.

As the owner of the vehicle lives in the Teignmouth area, we feel it will help with the constant demand for more carriages over in this direction.

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## Check MOT history

This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrn=SJ17LBT&make\\_result=RENAULT&model\\_result=TRAFIC&mot\\_first\\_used\\_date=2017-08-21&vehicle\\_age=2205&mot\\_expiry\\_date=2024-03-01&mot\\_expiry\\_date\\_days\\_left=179&user\\_satisfaction\\_banner=0&vehicle\\_data\\_origin=MTS&vehicle\\_type=LGV\)](https://www.smartsurvey.co.uk/s/GIZZX?vrn=SJ17LBT&make_result=RENAULT&model_result=TRAFIC&mot_first_used_date=2017-08-21&vehicle_age=2205&mot_expiry_date=2024-03-01&mot_expiry_date_days_left=179&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

< [Back](#)

# SJ17 LBT

# RENAULT TRAFIC

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

Colour

**Silver**

Fuel type

**Diesel**

Date registered

**21 August 2017**

MOT valid until

**1 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 \(/enter-v5c?registration=SJ17LBT\)](/enter-v5c?registration=SJ17LBT)

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

**2 March 2023**

**PASS**

Mileage

**196,893 miles**

Test location

▶ [View test location](#)

MOT test number

**8283 3244 7838**

Expiry date

**1 March 2024**

Monitor and repair if necessary (advisories):

- **Rear Brake pad(s) wearing thin Both sides. (1.1.13 (a) (ii))**

▶ [What are advisories?](#)

---

Date tested

**2 March 2023**

**FAIL**

Mileage

**196,893 miles**

Test location

▶ [View test location](#)

MOT test number

**2314 1376 2386**

Repair immediately (major defects):

- **Nearside Rear Direction indicator incorrect colour (4.4.3 (a))**
- **Offside Rear Direction indicator incorrect colour (4.4.3 (a))**
- **Nearside Front Track rod end ball joint has excessive play (2.1.3 (b) (i))**

Monitor and repair if necessary (advisories):

- **Rear Brake pad(s) wearing thin Both sides. (1.1.13 (a) (ii))**

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

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Date tested

**29 March 2022**

**PASS**

Mileage

**157,298 miles**

Test location

▶ [View test location](#)

MOT test number

**8575 9821 9464**

Expiry date

**9 April 2023**

---

Date tested

**28 March 2022**

**FAIL**

Mileage

**157,290 miles**

Test location

▶ [View test location](#)

MOT test number

**4764 9922 8713**

Repair immediately (major defects):

- **Nearside Rear Coil spring fractured or broken (5.3.1 (b) (i))**
- **Offside Rear Coil spring fractured or broken (5.3.1 (b) (i))**

▶ [What are defects?](#)

---

Date tested

**8 April 2021**

**PASS**

Mileage

**118,256 miles**

Test location

▶ [View test location](#)

MOT test number

**1662 2694 6170**

Expiry date

**9 April 2022**

Monitor and repair if necessary (advisories):

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

▶ [What are advisories?](#)

---

Date tested

**8 April 2021**

**FAIL**

Mileage

**118,256 miles**

Test location

▶ [View test location](#)

MOT test number

**8393 3060 2277**

Repair immediately (major defects):

- **Nearside Front Lower Suspension arm ball joint excessively worn (5.3.4 (a) (i))**

Monitor and repair if necessary (advisories):

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

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

---

Date tested  
**2 April 2020**

**PASS**

Mileage  
**87,567 miles**

Test location

▶ [View test location](#)

MOT test number  
**7924 9722 2857**

Expiry date  
**9 April 2021**

---

Date tested  
**10 April 2019**

**PASS**

Mileage  
**72,388 miles**

Test location

▶ [View test location](#)

MOT test number  
**2095 5766 0538**

Expiry date  
**9 April 2020**

Monitor and repair if necessary (advisories):

- **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?](#)

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

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## Check for vehicle recalls

See if RENAULT TRAFIC SJ17LBT has outstanding recalls

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# TEIGNBRIDGE DISTRICT COUNCIL

## LICENSING AND REGULATORY SUB COMMITTEE

20 September 2023

### PART I

<b>Report Title</b>	<b>Request for Hackney Carriage Vehicle Extension for further 12 months YS12 UHJ Grey Ford Mondeo</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 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 – 1 August 2012  
Age of vehicle, if granted - 11 years and 1 month  
Hackney Carriage licence expires – 9 October 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 valid until 3 October 2024 with no advisories.
- 1.3 Vehicle inspection booked at the Depot on 15 September – 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, were 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.’*

### **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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Mon 04/09/2023 08:38

To whom this may concern

I would like the committee, to consider YS12UHJ for and extension. At your next committee meeting.

It is of my opinion that this car is still more than adequate for use as a Taxi. It has regular services and checks. It is a well maintained vehicle. Clean and tidy inside and out.

kind regards  
peter shapley

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This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrm=YS12UHJ&make\\_result=FORD&model\\_result=MONDEO&mot\\_first\\_used\\_date=2012-08-01&vehicle\\_age=4055&mot\\_expiry\\_date=2024-10-03&mot\\_expiry\\_date\\_days\\_left=391&user\\_satisfaction\\_banner=0&vehicle\\_data\\_origin=MTS&vehicle\\_type=LGV\)](https://www.smartsurvey.co.uk/s/GIZZX?vrm=YS12UHJ&make_result=FORD&model_result=MONDEO&mot_first_used_date=2012-08-01&vehicle_age=4055&mot_expiry_date=2024-10-03&mot_expiry_date_days_left=391&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

[Back](#)

YSI2 UHJ

<sup>25</sup>**FORD MONDEO**

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

Colour

**Grey**

Fuel type

**Diesel**

Date registered

**1 August 2012**

MOT valid until

**3 October 2024**

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

[Download test certificates \(/enter-v5c?registration=YS12UHJ\)](/enter-v5c?registration=YS12UHJ)

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  
**6 September 2023**

**PASS**

26

Mileage  
**208,566 miles**

Test location  
[View test location](#)

MOT test number  
**6568 5734 0121**

Expiry date  
**3 October 2024**

---

Date tested  
**16 September 2022**

**PASS**

Mileage  
**190,192 miles**

Test location  
[View test location](#)

MOT test number  
**1440 4145 1994**

Expiry date  
**3 October 2023**

---

Date tested  
**16 September 2022**

Mileage  
**190,192 miles**

MOT test number  
**9179 9960 8828**

# FAIL

Test location

▶ [View test location](#)

Repair immediately (major defects):

- **Nearside Front 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 Rear Anti-roll bar linkage ball joint has slight play (5.3.4 (a) (i))**
- **Offside Front Track rod end ball joint has slight play (2.1.3 (b) (i))**

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

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Date tested  
**14 September 2021**

# PASS

Mileage  
**170,256 miles**

MOT test number  
**5819 2363 7062**

Test location

▶ [View test location](#)

Expiry date  
**3 October 2022**

Monitor and repair if necessary (advisories):

- **Offside Front Play in steering rack inner joint(s)**
- **Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **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?](#)

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Date tested  
**13 September 2021**

**FAIL**

Mileage  
**170,256 miles**

MOT test number  
**4711 3411 0240**

Test location

► [View test location](#)

Repair immediately (major defects):

- **Offside Front Anti-roll bar ball joint dust cover no longer prevents the ingress of dirt (5.3.4 (b) (ii))**

Monitor and repair if necessary (advisories):

- **Front brake disc worn**
- **Offside Front Play in steering rack inner joint(s)**
- **Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **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 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 defects and advisories?](#)

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Date tested  
**29 September 2020**

**PASS**

Mileage  
**154,262 miles**

MOT test number  
**3141 4001 5834**

Test location

Expiry date  
**3 October 2021**

▶ [View test location](#)

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))**

▶ [What are advisories?](#)

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Date tested  
**30 September 2019**

**PASS**

Mileage  
**142,187 miles**

MOT test number  
**4366 4160 6398**

Test location

Expiry date  
**3 October 2020**

▶ [View test location](#)

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))**

▶ [What are advisories?](#)

Date tested  
**2 October 2018**

**PASS**

Mileage  
**123,815 miles**

Test location

▶ [View test location](#)

MOT test number  
**2173 8478 2798**

Expiry date  
**3 October 2019**

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

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<sup>30</sup>Date tested  
**6 September 2017**

**PASS**

Mileage  
**105,868 miles**

Test location

▶ [View test location](#)

MOT test number  
**3467 5115 2646**

Expiry date  
**3 October 2018**

Advisory notice item(s)

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

▶ [What are advisories?](#)

---

Date tested  
**4 October 2016**

**PASS**

Mileage  
**91,712 miles**

MOT test number  
**9828 0601 5692**

Test location

Expiry date  
**3 October 2017**

▶ [View test location](#)

Advisory notice item(s)

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

▶ [What are advisories?](#)

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---

Date tested  
**30 September 2016**

**FAIL**

Mileage  
**91,404 miles**

MOT test number  
**1253 7960 6483**

Test location

▶ [View test location](#)

Reason(s) for failure

- **Windscreen washer provides insufficient washer liquid (8.2.3)**

Advisory notice item(s)

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

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

---

Date tested  
**1 October 2015**

**PASS**

Mileage  
**73,616 miles**

Test location

▶ [View test location](#)

MOT test number  
**6825 6043 1252**

Expiry date  
**30 September 2016**

Advisory notice item(s)

- **Windscreen has damage to an area less than a 10mm circle within zone 'A' (8.3.1a)**
- **Windscreen has damage to an area less than a 40mm circle outside zone 'A' (8.3.1d)**

▶ [What are advisories?](#)

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Date tested  
**4 August 2015**

**PASS**

Mileage  
**73,453 miles**

Test location

▶ [View test location](#)

MOT test number  
**2160 6641 5249**

Expiry date  
**3 August 2016**

Advisory notice item(s)

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



▶ [What are advisories?](#)

---

Date tested  
**4 August 2015**

**FAIL**

Mileage  
**73,453 miles**

MOT test number  
**1588 3691 5264**

Test location

▶ [View test location](#)

Reason(s) for failure

- **Nearside Headlamp not working on dipped beam (1.7.5a)**
- **Nearside Front Tyre tread depth below requirements of 1.6mm (4.1.E.1)**
- **Offside Front Tyre tread depth below requirements of 1.6mm (4.1.E.1)**

Advisory notice item(s)

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

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

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## Check for vehicle recalls

See if FORD MONDEO YS12UHJ has outstanding recalls

[Show](#)

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# TEIGNBRIDGE DISTRICT COUNCIL

## LICENSING AND REGULATORY SUB COMMITTEE

20 September 2023

### PART I

<b>Report Title</b>	<b>Request for Hackney Carriage Vehicle Extension for further 12 months EY55 OUD Black Volkswagen Sharan</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 P Street
<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 – 1 September 2005  
Age of vehicle, if granted - 18 years  
Hackney Carriage licence expires – 24 September 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 valid until 8 January 2024 with 2 advisories.
- 1.3 Vehicle inspection booked at the Depot on 14 September – details to be provided at the hearing.
- 1.4 **Licensing Officer:**  
Vehicle checked -  
Officer comments:

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, were 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.’*

### **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 03/09/2023 11:22

Dear Committee Members

I would like for you to consider extending the Hackney license on my vehicle for one year.

It is a Volkswagen Sharan in good condition, it is serviced every 10,000 miles. Its annual MOT is not due until 8 January 2024. Its current Taxi license expires 24 September 2023, I will be booking a taxi test prior to the meeting.

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

As you are aware the waiting time to buy a new car is considerable. We have been told at the moment the car we wish to purchase will be available in Spring 2024.

Many thanks

Claire Street on behalf of Philip Street

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## Check MOT history

This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrn=EY55OUD&make\\_result=VOLKSWAGEN&model\\_result=SHARAN&mot\\_first\\_used\\_date=2005-09-01&vehicle\\_age=6538&mot\\_expiry\\_date=2024-01-08&mot\\_expiry\\_date\\_days\\_left=165&user\\_satisfaction\\_banner=0&vehicle\\_data\\_origin=MTS&vehicle\\_type=LGV\)](https://www.smartsurvey.co.uk/s/GIZZX?vrn=EY55OUD&make_result=VOLKSWAGEN&model_result=SHARAN&mot_first_used_date=2005-09-01&vehicle_age=6538&mot_expiry_date=2024-01-08&mot_expiry_date_days_left=165&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

< [Back](#)

**EY55 OUD**

# VOLKSWAGEN SHARAN

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

Colour

**Black**

Fuel type

**Diesel**

Date registered

**1 September 2005**

MOT valid until

**8 January 2024**

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

[Download test certificates \(/enter-v5c?registration=EY55OUD\)](/enter-v5c?registration=EY55OUD)

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

**9 January 2023**

**PASS**

Mileage

**229,284 miles**

Test location

▶ [View test location](#)

MOT test number

**7212 2893 5872**

Expiry date

**8 January 2024**

Monitor and repair if necessary (advisories):

- **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))**

▶ [What are advisories?](#)

---

Date tested

**5 January 2023**

**FAIL**

Mileage

**229,076 miles**

Test location

▶ [View test location](#)

MOT test number

**3892 8852 8472**

Repair immediately (major defects):

- **Nearside Front Lower Suspension component ball joint excessively worn (5.3.4 (a) (i))**
- **Nearside Front Steering rack gaiter missing or no longer prevents the ingress of dirt (2.1.3 (g) (ii))**
- **Offside Front Steering rack gaiter missing or no longer prevents the ingress of dirt (2.1.3 (g) (ii))**

Monitor and repair if necessary (advisories):

- **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))**

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

---

Date tested

**13 December 2021**

**PASS**

Mileage

**207,575 miles**

Test location

▶ [View test location](#)

MOT test number

**8023 6545 9943**

Expiry date

**7 January 2023**

Repair as soon as possible (minor defects):

- **Offside Front Anti-roll bar linkage ball joint dust cover severely deteriorated (5.3.4 (b) (i))**

Monitor and repair if necessary (advisories):

- **Nearside Rear Brake hose has slight corrosion to ferrule (1.1.12 (f) (i))**
- **Offside Rear Brake hose has slight corrosion to ferrule (1.1.12 (f) (i))**

▶ [What are advisories?](#)

---

Date tested

**16 December 2020**

**PASS**

Mileage

**200,204 miles**

Test location

▶ [View test location](#)

MOT test number

**9001 8048 9517**

Expiry date

**7 January 2022**

---

Date tested

**28 June 2019**

**PASS**

Mileage

**169,053 miles**

Test location

▶ [View test location](#)

MOT test number

**6500 1274 2630**

Expiry date

**7 January 2021**

Monitor and repair if necessary (advisories):

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

▶ [What are advisories?](#)

---

Date tested

**28 June 2018**

**PASS**

Mileage

**127,446 miles**

Test location

▶ [View test location](#)

MOT test number

**1060 4352 0676**

Expiry date

**7 July 2019**

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

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Date tested

**5 July 2017**

**PASS**

Mileage

**94,571 miles**

Test location

▶ [View test location](#)

MOT test number

**7976 7775 8274**

Expiry date

**7 July 2018**

---

Date tested

**6 July 2016**

**PASS**

Mileage

**81,974 miles**

Test location

▶ [View test location](#)

MOT test number

**4962 9545 3816**

Expiry date

**7 July 2017**

---

Date tested

**3 July 2015**

**PASS**

Mileage

**72,496 miles**

Test location

▶ [View test location](#)

MOT test number

**7472 1478 5117**

Expiry date

**7 July 2016**

---

Date tested

**8 July 2014**

**PASS**

Mileage

**61,555 miles**

Test location

▶ [View test location](#)

MOT test number

**2398 4928 4108**

Expiry date

**7 July 2015**

Advisory notice item(s)

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

▶ [What are advisories?](#)

---

Date tested

**7 July 2014**

**FAIL**

Mileage

**61,555 miles**

Test location

▶ [View test location](#)

MOT test number

**5759 2898 4135**

Reason(s) for failure

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

Advisory notice item(s)

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

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

---

Date tested  
**26 June 2013**

**PASS**

Mileage  
**51,452 miles**

Test location

▶ [View test location](#)

MOT test number  
**9570 5777 3165**

Expiry date  
**7 July 2014**

---

Date tested  
**6 July 2012**

**PASS**

Mileage  
**42,761 miles**

Test location

▶ [View test location](#)

MOT test number  
**3367 1818 2148**

Expiry date  
**7 July 2013**

Advisory notice item(s)

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

▶ [What are advisories?](#)

---

Date tested  
**8 July 2011**

**PASS**

Mileage  
**37,867 miles**

Test location

▶ [View test location](#)

MOT test number  
**3780 0948 1154**

Expiry date

7 July 2012

---

Date tested  
7 July 2010

**PASS**

Mileage  
33,609 miles

Test location

▶ [View test location](#)

MOT test number  
9802 3888 0121

Expiry date  
7 July 2011

Advisory notice item(s)

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

▶ [What are advisories?](#)

---

Date tested  
7 July 2009

**PASS**

Mileage  
29,587 miles

Test location

▶ [View test location](#)

MOT test number  
9537 9828 9154

Expiry date  
7 July 2010

---

Date tested  
8 July 2008

**PASS**

Mileage  
22,761 miles

Test location

▶ [View test location](#)

MOT test number  
2704 4099 8168

Expiry date

7 July 2009

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## Check for vehicle recalls

See if VOLKSWAGEN SHARAN EY55OUD has outstanding recalls

[Show](#)

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