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4 October 2023

LICENSING AND REGULATORY SUB-COMMITTEE

A meeting of the **Licensing and Regulatory Sub-Committee** will be held on **Thursday, 12th October, 2023** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors Bradford, Hayes (Chair) and Sanders

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. **Minutes** (Pages 3 - 12)
To approve the Minutes of the meetings held on 3 August 2023 and 24 August 2023.
3. **Declarations of Interest (if any)**

4. **Request for a new Hackney Carriage Licence for a Vehicle over 5 years - SY18 XVO** (Pages 13 - 28)
5. **Request for a Small Plate - WJ23 OEA** (Pages 29 - 36)

Part II: Items suggested for discussion with the press and public excluded

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

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1,2 and 5 of Part 1 of Schedule 12A of the Act

7. **Request for a Hackney carriage Driver's Licence** (Pages 37 - 58)

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

LICENSING AND REGULATORY SUB-COMMITTEE**THURSDAY, 3 AUGUST 2023**Present:

Councillors Dawson (Vice-Chair), Gearon and Hayes (Chair)

Officers in Attendance:

Licensing Officer

Legal Officer

1. APOLOGIES

None.

2. DECLARATIONS OF INTEREST (IF ANY)

None.

3. REQUEST FOR PRIVATE HIRE VEHICLE LICENCE FOR VEHICLE OVER 5 YEARS AND SMALL PLATE - EXZ 599

The Committee considered an application for a new Private Hire Vehicle Licence and Small Plate request for a Mercedes CDI Auto vehicle registration EXZ 599.

The Sub-Committee noted the information provided by way of the report and heard from the Applicant. In particular the Sub-Committee noted that the vehicle's MOT certificate expires on 11 July 2024, with no advisories. The Sub-Committee were informed that the vehicle passed its annual taxi inspection test on 12 July 2023.

The Sub-Committee were 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 Private Hire Vehicle Licence as detailed in the report with 6 monthly vehicle inspections due to the age of the vehicle along with approving the use of a small plate.

4. REQUEST FOR HACKNEY CARRIAGE VEHICLE OVER 5 YEARS - GY65 OMU

The Committee considered an application for a new Hackney Carriage Vehicle Licence for a BMW Sport vehicle registration GY65 OMU.

The Sub-Committee noted the information provided by way of the report and heard from the Applicant. In particular the Sub-Committee noted that the vehicle's MOT certificate expires on 29 January 2024, with no advisories. The Sub-Committee were informed that the vehicle passed its annual taxi inspection test on 31 July 2023.

The Sub-Committee were 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 as detailed in the report with 6 monthly vehicle inspections.

5. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - SN13 NWJ

The Committee considered an application for a Hackney Carriage Vehicle Licence Extension for a Mercedes E250 vehicle registration SN13 NWJ.

The Sub-Committee noted the information provided by way of the report and heard from the Applicant. In particular the Sub-Committee noted that the vehicle's MOT certificate expires on 8 April 2024, with three advisories. The Sub-Committee were informed that the vehicle failed its annual taxi inspection test on 2 August 2023 due to the meter not working correctly.

The Sub-Committee were 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 as detailed in the report subject to the meter being fixed, re-tested and the Licensing Officer being satisfied the vehicle is fixed along with 6 monthly vehicle inspections.

6. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following items of business

on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1,2,5 and 7 of Part 1 of Schedule 12A of the Act.

7. APPLICATION FOR COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of an application for a new Hackney Carriage and Private Hire Vehicle Driver's Licence.

The Applicant attended the meeting in person and he answered questions put to him by the Sub-Committee. The Applicant was accompanied by his agent who advised him during the meeting.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Dawson and seconded by Councillor Hayes, and

RESOLVED that the Applicant's application for a new Hackney Carriage and Private Hire Vehicle Drivers Licence be refused under Section 51(1)(a) and Section 59 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976, so as to promote public safety. The Sub-Committee felt that the conduct of the Applicant as set out in the Report, supported its view that the Applicant was not a fit and proper person to hold such a Licence.

Reasons for the decision:

Members noted the information set out in the Report relating to the Applicant previous convictions. The Sub-Committee noted that whilst his convictions were spent, they are still considered relevant as the driving of taxis is a 'Regulated Occupation'. As such questions may be asked as to the suitability of an individual to be granted a licence.

The Sub-Committee heard from the Applicant regarding the circumstances that led to the convictions and accepted that these were a significant time ago. The Sub-Committee expressed some empathy to the Applicant but considered it inappropriate to go behind the court's decision.

The Sub-Committee noted that the convictions were not disclosed on either application made by the Applicant and asked why they had not been declared. The Applicant informed the committee that he had misunderstood the application form and did not think he was required to disclose the convictions as they had been spent.

The Committee thanked the Applicant for appearing before them and noted that he appeared remorseful. However, all factors combined meant that the committee did not consider that the Applicant was a fit and proper person.

The Sub-Committee were concerned that the Applicant had not disclosed the convictions on his application and had not spoken to the Licensing Team or the agent acting for him to clarify any potential misunderstandings as to whether he should list them.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the Applicant, it was concluded after significant deliberation that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of public safety and considered that, on balance, there was cause to show that the Applicant was not a fit and proper person to hold a Licence.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to refuse the Applicant's application for a new Hackney Carriage and Private Hire Vehicle Drivers Licence.

8. REVIEW OF HACKNEY CARRIAGE DRIVERS LICENCE

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of a review of a Hackney Carriage Driver's Licence.

The Driver did not attend the meeting in person and did not provide a written statement for the sub-committee nor was he represented.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Hayes and seconded by Councillor Dawson, and

RESOLVED that the Driver's Hackney Carriage Drivers Licence be revoked with immediate effect under Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976, in order to promote public safety due to the conduct of the Driver as set out in the Report. The Sub-Committee felt there was reasonable cause to support its view that they were not a fit and proper person to hold such a Licence.

Reasons for the decision:

Members noted the information set out in the Report relating to the Driver's alleged offence of driving a motor vehicle with alcohol level above limit. The Driver has pleaded Not Guilty and is due to stand trial.

The Sub-Committee heard from the Licensing Officer that the Licensing Team were informed by the police of the alleged offence and not by the Driver. It is a requirement of the Council's Licensing Policy that a licensee informs the licensing team of any arrest, charge and any motoring offences within 48 hours.

The sub-committee also heard that all attempts at contacting the Driver about this matter had been ignored.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the Driver, it was concluded that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of protecting the public and of public safety and considered that, on balance, there was cause to show that the Driver was not a fit and proper person to hold a Licence.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to revoke the Driver's Hackney Carriage Driver Licence with immediate effect.

Cllr R Hayes
Chair

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LICENSING AND REGULATORY SUB-COMMITTEE

THURSDAY, 24 AUGUST 2023

Present:

Councillors Hayes (Chair), Henderson and Peart

Officers in Attendance:

Licensing Officer

Legal Assistant

9. APOLOGIES

None.

10. DECLARATIONS OF INTEREST

None.

**11. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 -
EXCLUSION OF PRESS AND PUBLIC**

**12. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR
FURTHER 12 MONTHS - WJ13 KVX**

The Sub-Committee noted the information provided by way of the report and heard from the Applicant. In particular the Sub-Committee noted that the vehicle's MOT certificate expires on 31 August 2024, with no advisories. The Sub-Committee were informed that the vehicle passed its annual taxi inspection test on 10 August 2023.

The Sub-Committee were 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 as detailed in the report subject to 6 monthly vehicle inspections due to the age of the vehicle.

13. APPLICATION FOR A NEW PREMISES LICENCE - PARRS COUNTRY STORE, MATFORD HOME FARM, MATFORD, EXETER, EX2 8XT

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of an application for a new Premises Licence for Parris Country Store, Matford Home Farm, Matford, Exeter, EX2 8XT.

The Applicant attended the meeting and was permitted to speak. The Applicant answered questions put to him by the Sub-Committee.

Persons who had submitted representations also attended the meeting and were permitted to speak.

Arising from consideration of the report, evidence presented and in accordance with the relevant provisions of the Licensing Act 2003 Statutory Guidance, and the Council's Licensing Policy, it was moved by Councillor R Hayes and seconded by Councillor Peart, and

RESOLVED that the Application for a new Premises Licence in respect of Parris Country Store, Matford Home Farm, Matford, Exeter, EX2 8XT be granted subject to the following two additional conditions:

- The supply of alcohol on/off the premises be allowed between the hours of 1000hrs to 2100hrs;
- the music level must not exceed 53db. Any decibel readings are to be taken from outside any window or door at the licensed premises when the same are shut. Readings to be taken from within 2 meters of the closed window or door.

Reasons for the decision:

The Sub-Committee heard that the licence for alcohol had been applied for to enable sales from the farm shop and for alcohol to be consumed whilst eating in the café and the Thai takeaway which both have small amounts of seating. The Applicant clarified that there was seating for approximately 20 people in the café and around 12 people outside the Thai takeaway. In total there are usually only around 25-30 people on the site at any one time although this could vary.

The Sub-Committee heard from the Applicant that the Designated Premises Supervisor was experienced and would be in charge of training all staff. They also heard that whilst there were no employed security staff, all current members of staff are very experienced and as such would be comfortable dealing with any issues that may arise.

The Applicant then clarified the current opening hours for the farm store are 8am-6pm. The café opened from 9am-3pm and the Thai takeaway opened at 3pm until 9/9.30pm.

The Sub-Committee then heard from the representative's spokesperson who detailed the history of the site as a working farm and how its use had changed over the years to include other small businesses including the farm shop and café. They detailed their concerns about the proposed licence and the potential noise levels impacting on the neighbours living next door to the application site. The residents already have to deal with noise from close by hotels and were concerned additional noise levels from the application site would make it more difficult to enjoy their homes.

Those who had submitted representations also had concerns about the prevention of crime. There had recently been break ins and the residents were concerned the supply of alcohol and potential increase in people on the site could lead to further crime. The residents also had concerns that the appropriate planning permissions had not been granted. It was suggested by the spokesperson that conditions on the opening hours and decibel levels could be considered by the committee if they were minded to approve the application.

In response to comments from persons who had submitted representations the Applicant explained that he had not received any formal complaints regarding noise. The Applicant stated that the intention is for music to only be played in the café. The Applicant also confirmed that the farm shop was insulated on all sides except the front where the entrance is. This insulation was completed around 5-7 years ago. Planning applications to change the use of the office were also due to be submitted over the following weeks.

The Sub-Committee were also informed by the Licensing Officer that one representation had been withdrawn following discussions with the Applicant and they now supported the application and understood the reasons for it.

The Sub-Committee having considered the Application submitted and having heard from those present, and being mindful of Statutory Code of Guidance and Licensing policy, felt that on balance it should approve this application. However, the Sub-Committee being mindful of the location of the application site, felt it reasonable to add two additional conditions restricting the maximum music decibel level and limiting the hours available for the sale of alcohol to promote the Licensing Objectives.

The Sub-Committee felt that on balance the Applicant had given consideration to the nature of the premises, the locality in which it is situated and potential risks in carrying out the licensable activities. The Sub-Committee were mindful that whilst planning is not a material consideration, the applicant's assurances that he was going to seek the appropriate planning permissions reassured the Sub-Committee that the applicant would also uphold the conditions given on the licence.

The Sub-Committee were sympathetic to those who had submitted representations and their reasons and explained that they had the usual channels to report any issues such as noise disturbances. Any concerns or breaches could then be dealt with appropriately.

The Sub-Committee was satisfied that the four Licensing Objectives would be upheld and therefore deemed it appropriate to grant the premises licence with the two additional conditions.

Cllr R Hayes
Chair

TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

12 October 2023

PART I

Report Title	Request for Hackney Carriage Vehicle over 5 years. Registration SY18 XVO Black BMW
Purpose	For the Committee to consider the request included in 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 a licensed plate.
Applicant	Mrs W Wolska
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for licence B: MOT history C: Photographs D: Inspection sheet

1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 29 June 2018
Age of vehicle, if granted - 5 years and 3 months

The vehicle will no longer meet the Council's licensing policy as it is over 5 years of age.

- 1.2 MOT valid until 12 July 2024 with no advisories.
- 1.3 Vehicle inspection completed on 20 September 2023 with no advisories.
- 1.4 **Licensing Officer:**
Vehicle checked - 11 September 2023
Officer comments.
Vehicle clean and tidy inside and body work in good condition.

Recommendation:
Members to decide whether to grant the licence or not grant the licence.

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 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 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 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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Thu 07/09/2023 11:15

Good morning, I would like to be before committee.

I understood that a vehicle can be 5 years old to the date of first application. That is the reason why I purchased a slightly older vehicle. My application started in May and I was thinking it is inside the framework.

I spend a lot of time and money to have a licence and would like to thank you for all your understanding and giving me a chance. A vehicle what I purchased is slightly older but is in excellent condition.

Your sincerely Wioletta Wolska

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This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrm=SY18XVO&make_result=BMW&model_result=X5&mot_first_used_date=2018-06-29&vehicle_age=1897&mot_expiry_date=2024-07-12&mot_expiry_date_days_left=308&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV\)](https://www.smartsurvey.co.uk/s/GIZZX?vrm=SY18XVO&make_result=BMW&model_result=X5&mot_first_used_date=2018-06-29&vehicle_age=1897&mot_expiry_date=2024-07-12&mot_expiry_date_days_left=308&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

[Back](#)

SY18 XVO

19 BMW X5

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

Colour
Black

Fuel type
Diesel

Date registered
29 June 2018

MOT valid until
12 July 2024

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

[Download test certificates \(/enter-v5c?registration=SY18XVO\)](/enter-v5c?registration=SY18XVO)

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
13 July 2023

PASS

20

Mileage
43,992 miles

Test location

▶ [View test location](#)

MOT test number
8014 0749 5174

Expiry date
12 July 2024

Date tested
15 March 2023

PASS

Mileage
42,614 miles

Test location

▶ [View test location](#)

MOT test number
5967 1247 5796

Expiry date
13 April 2024

Date tested
14 April 2022

Mileage
30,516 miles

MOT test number
9441 5498 7896

PASS

Test location

▶ [View test location](#)

Expiry date

13 April 2023

Date tested
14 June 2021

Mileage
23,405 miles

MOT test number
7538 8125 9961

PASS

Test location

▶ [View test location](#)

Expiry date

28 June 2022

²¹Date tested
14 June 2021

Mileage
23,405 miles

MOT test number
9223 3169 8430

FAIL

Test location

▶ [View test location](#)

Repair immediately (major defects):

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

▶ [What are defects?](#)

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>).

Check for vehicle recalls

See if BMW X5 SY18XVO has outstanding recalls

[Show](#)

22

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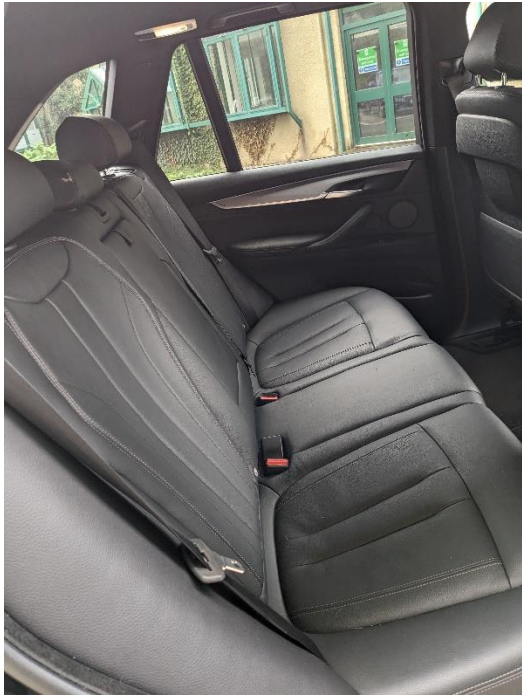
[MOT history API](#) [Service status](#)

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

OGL

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Teignbridge District Council - Vehicle Inspection Sheet

Annual / 6 Monthly / 4 Monthly / MOT

Hackney Carriage/Private Hire
 Plate No NEW

Owner WOLSKA

Date 200923

Mileage 47678

No. Passengers 4

Registration No 5Y18XVO

	Pass	Fail	Re-Tested	Comments
Steering and Suspension				
1	Steering Control	/		
2	Steering Mechanism/System	/		
3	Power Steering	/		
4	Transmission Shaft	/		
5	Wheel Bearings	/		
6	Front Suspension	/		
7	Rear Suspension	/		
8	Shock Absorbers	/		
Lighting Equipment				
9	Front and Rear Lamps etc.	/		
10	Headlamps	/		
11	Headlamp Aim	/		
12	Stop Lamps	/		
13	Rear Reflectors	/		
14	Direction Indicators	/		
15	Hazard Lamps	/		
Braking System				
17	ABS Warning System/Controls	/		
18	Condition of Service Brake System	/		
19	Conditions of Parking Brake System	/		
20	Service Brake Performance	/		
21	Parking Brake Performance	/		
22	Efficiency - Footbrake <u>45%</u>	/		
23	Efficiency - Handbrake <u>30%</u>	/		
Tyres & Wheels				
24	Tyre Type & Condition	/		
25	Road Wheels	/		
General				
26	Compliance with current MOT reqs.	/		
27	Seatbelts Mountings/Operation	/		
28	Horn	/		
29	Exhaust Systems	/		
30	Exhaust Emission (Printout)	/		
31	Vehicle Condition Interior	/		
32	Vehicle Condition Exterior	/		
33	Seat condition	/		
34	Luggage space	/		
35	Doors/Locks operational	/		
36	Mirrors & View of the road	/		
37	Fuel System	/		
38	Speedometer operational	/		
39	Excise Licence/Date			<u>01 February 24</u>
40	Fire Extinguisher with Sticker	/		
41	First Aid Kit with Sticker	/		
42	No Smoking Stickers	/		
43	Rooflight Operational	/		
44	Current MOT/Date			<u>12 July 24</u>
45	Meter Fitted & Tested	/		
46	Fuel & Oil Leaks	/		
47	Tariff Card Displayed	/		
48	Livery Compliant	/		
49	Windows Operational	/		

Brake Test Results	
NSF <u>75</u>	DSF
NSR	OSR
NSH	OSH <u>70</u>
Brake Weight	
Emmission Test Value	<u>0.51</u>
Re-show Items	
Date due by	

Certificate

I hereby certify that I have carried out the various examinations of the vehicle as scheduled and the vehicle has PASSED FAILED

I have also checked the fare/meter over a prescribed distance and it is correct

Signed: _____
 Print Name _____
 Passed Re-test _____
 Signed _____

Date 200923

 Date _____

CIN 274919255

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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

12 OCTOBER 2023

PART I

Report Title	Request for a small plate for a private hire vehicle
Purpose	To consider approval for a small plate for a blue Skoda Kodiaq, registration WJ23 OEA
Applicant	Mr C Smith
Options	The Committee may: a. Grant the request to be used for executive hire. b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for small plate B: Vehicle photographs C: Sample 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 replacement of the traditional size plate with the smaller plate (Appendix A).

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 (Appendix C).

4. FINANCIAL IMPLICATIONS

None.

Tue 12/09/2023 14:25

Dear Sir/Madam,

I write to request the consideration of a executive small plate for WJ23OEA instead of a large white Private Hire plate, I enclose photos of the vehilce. The reason I ask for this is for the following reasons.

We take high end clients to and from airports who prefer its not obvious that they are getting a taxi.

We also take SEN children to school on behalf of Devon County Council often a taxi plate makes them feel conscious of the vehicle and different where as a small plate is not so obvious.

I would be grateful if you would consider this at the next committee meeting.

kind regards

Christopher Smith

Black Swan Private Hire Ltd

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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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