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07 May 2024

## LICENSING AND REGULATORY SUB-COMMITTEE

A meeting of the Licensing and Regulatory Sub-Committee will be held on Wednesday, 15th May, 2024 in the Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX at 2.00 pm

PHIL SHEARS
Managing Director

#### Membership:

Councillors Dawson (Vice-Chair), Henderson and Peart

**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.

## AGENDA

#### Part I

- 1. Apologies
- 2. Declarations of Interest (if any)
- 3. **Minutes** (Pages 3 10)

To approve and sign the Minutes of the meeting held on 5 March 2024.

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 Hackney Carriage Vehicle Extension for further 12 months - DN62 WNU	(Pages 11 - 28)
6.	Request for Hackney Carriage Vehicle Extension for further 12 months - DX13 OVS	(Pages 29 - 38)
7.	Request for Hackney Carriage Vehicle Extension for further 12 months - KV08 XOC	(Pages 39 - 62)
8.	Request for Hackney Carriage Vehicle Extension for further 12 months - KV09 WPK	(Pages 63 - 84)
9.	Request for Hackney Carriage Vehicle Extension for further 12 months - MK12 YWA	(Pages 85 - 106)
10.	Request for Hackney Carriage Vehicle Extension for further 12 months - SA14 CAB	(Pages 107 - 118)

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

## **TUESDAY, 5 MARCH 2024**

#### Present:

Councillors Gearon, Henderson and Rollason

Officers in Attendance: Licensing Manager Legal Assistant Licensing Assistant

#### 53. APOLOGIES

None.

#### 54. ELECTION OF CHAIR

It was proposed by Cllr Gearon and seconded by Cllr Henderson and;

**RESOLVED** – that Cllr Rollason be elected chair for the duration of the meeting.

#### 55. DECLARATIONS OF INTEREST (IF ANY)

None.

#### 56. MINUTES

The Minutes of the meeting of the 18 January 2024 were unanimously approved as a correct record and signed by the Chair.

# 57. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - FJ63 ZSZ

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 in March 2025, with one advisory and that the vehicle passed its annual taxi inspection test on 28 February 2024 with advisories. The Applicant was not in attendance but provided a written statement in support of the application.

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 Hackney Carriage Vehicle Licence Extension as detailed in the report with the additional condition of 6 monthly taxi inspection tests due to the age of the vehicle and to monitor the advisories listed.

#### 58. REQUEST FOR HACKNEY CARRIAGE VEHICLE OVER 5 YEARS - DX18 PVJ

The Applicant was not in attendance. 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 in February 2025, with no advisories and that the vehicle passed its annual taxi inspection test with no advisories.

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 new Hackney Carriage Vehicle Licence as detailed in the report with no additional conditions.

# 59. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - 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 in February 2025, with no advisories and that the vehicle passed its annual taxi inspection test on 28 February 2024 with no advisories. The Applicant was in attendance and clarified that the vehicle had recently had a new engine due to damage from flooding along with having the cosmetic issues fixed.

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 Hackney Carriage Vehicle Licence Extension as detailed in the report with the additional condition of 6 monthly taxi inspection tests due to the age of the vehicle.

#### 60. SMALL PLATE REQUEST - RK20 ZYJ

The Sub-Committee noted the information provided by way of the report and heard from the Applicant who was in attendance and clarified the reasons for wanting a small plate were because the applicant will be using the vehicle for weddings and business travel

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 request for a small plate as detailed in the report as they considered the resolution would be best suited to the applicant and the work he will be undertaking whilst also meeting the Council's licensing responsibilities.

# 61. REQUEST FOR PRIVATE HIRE VEHICLE LICENCE FOR VEHICLE OVER 5 YEARS - SB18 KGE

The Applicant was not in attendance. 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 in July 2024, with a minor defect and 2 advisories and that the vehicle failed its annual taxi inspection test on 29 February 2024 and was booked in to have the issue repaired and retested.

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 Private Hire Vehicle Licence as detailed in the report once the vehicle has passed its taxi inspection test and with the additional condition of 6 monthly taxi inspection tests due to the age of the vehicle and to monitor the listed advisories.

#### 62. REVIEW OF A HACKNEY CARRIAGE PLATE - OY55 OUD

The Applicant was unable to be in attendance. 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 in January 2025, with no advisories and that the vehicle does not have a current taxi inspection test.

The Sub-Committee heard from the Licensing Officer that the Applicant had missed its vehicle inspection in May 2023 and that the licence renewal given in September 2023, was on the condition that the 4 monthly vehicle inspections would be undertaken as set out in the Council's licencing policy. The vehicle has subsequently not been presented for testing and there was no certainty from the Applicant when it would be booked in for the vehicle test.

The Sub-Committee were not satisfied that the vehicle would continue to remain in a good and sound condition and believed that public safety could be compromised by the licence continuing.

#### **Decision**

Accordingly, after some deliberation, the Sub-Committee felt it had no choice but to revoke the Hackney Carriage Vehicle Licence as detailed in the report due to continued non-compliance of the conditions as set out in the Decision Notice dated 20 September 2023.

The Sub-Committee noted the personal circumstances of the Applicant and sympathised that they had been going through a difficult time but were extremely concerned that the vehicle checks that had been requested were being repeatedly missed. These checks are designed to ensure vehicles carrying members of the public remain in a good condition and good state of repair between each licence renewal.

The applicant has not complied with the condition to present the vehicle for testing every four months and there was no indication when the inspections would be undertaken should the licence continue. The Sub-Committee noted that at the Sub-Committee in September 2023 the Applicant's representative had apologised for missing the vehicle test in May 2023 and had given assurances that this would not happen again. Accordingly, the Sub-Committee did not feel confident that the vehicle would be presented for testing if the licence was to continue.

The Sub-Committee noted its overriding duty to the public, and of the paramount importance of protecting the public and public safety and therefore considered given the circumstances of this case that they had no choice but to revoke the vehicle's Hackney Carriage licence in accordance with Section 60 (1)(c) Local Government (Miscellaneous Provisions) Act 1976 to uphold the safety of members of the public.

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

**RESOLVED** 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.

#### 64. APPLICATION FOR A PERSONAL LICENCE

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

A representative from Devon and Cornwall Police who had submitted a representation also attended the meeting and was 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 D Rollason and seconded by Councillor Gearon, and

**RESOLVED** that the Application for a new Personal Licence be refused under Section 120 Licensing Act 2003.

#### Reasons for the decision:

The Sub-Committee heard from the Police representative that the Applicant had been arrested in the early hours of 14 July 2023. The reasons for the arrest being that the Applicant was observed by police officers to be swerving and appearing to hit a kerb whilst driving a motor vehicle. Once stopped the Applicant smelt of alcoholic liquor and claimed to have had only 2 pints. There were four other people in the car who also appeared intoxicated and caused problems for the police with their behaviour. The Applicant blew 50 micrograms when the legal limit is 35 micrograms of alcohol per 100 millilitres of breath.

The Police representative continued to explain that the usual sentence length for this offence is 12 months, but the Applicant's longer sentence was likely due to the fact that he was carrying passengers at the time of the offence. The Police are concerned that the Applicant showed a lack of maturity and poor judgement and reasoning skills from someone who would be required to actively promote the licensing objectives. The Police Representative felt that the application and subsequent appeal showed an element of contempt for the system and felt it was unusual to apply while still in the middle of the rehabilitation period.

The Sub-Committee heard from Applicant that he understands the severity of the conviction and that the circumstances do not look good on paper. He works in a bar that serves drinks and food and has applied for his licence prior to the busy tourist season due to encouragement from his manager. The Applicant also clarified that when he was stopped by the police, he only remembers one person shouting and becoming emotional and he was trying to calm her down.

The Applicant explained to the Sub-Committee that he had pled guilty and was fortunate enough to be offered a driving course which he has completed. This has reduced his driving ban by 25% to 12 months. The Court hearing was on 1 August 2023, and so he is around halfway through his sentence. The Applicant explained that this one mistake has had, and will continue to have, a significant impact on his life and he is thankful that nobody was hurt.

The Applicant then explained that his manager had let him keep his job and he had plenty of character references in relation to his court appearance. He is passionate about his job and wants to be seen as hard working and succeed in moving up in his company. He has completed his BIIAB course on 17 July 2023, and could potentially be promoted if granted the personal licence. He understands that his conviction contradicts the licensing objectives and has never behaved irresponsibly at work or outside of work other than this one time. His manager has been through the expectations and requirements for holding a personal licence with employees and he felt that he understood these.

In response to comments from the police representative the Applicant agreed that he has shown a naivety in thinking drinking and then driving was acceptable but had not felt the effects of the alcohol. He had been drinking over the course of a few hours and so believed he was not over the limit and fine to drive. He would not have done so if he had any doubts he was over the legal limit. The Applicant confirmed he was planning to drive to Teignmouth from Exeter and back again when he was stopped. The Applicant also clarified that whilst he may have an opportunity to be promoted to assistant manager in the future and would be in a position of responsibility, this has not yet happened and may not happen.

In response to questions from the Licensing Officer the Applicant clarified the dates of the BIIAB test and also the length of his sentence following the driving course. The Applicant also clarified for the Sub-Committee the reasons for applying for the personal licence and if the driving incident had occurred after his manager had briefed the employees about the responsibilities of being a personal licence holder, which it had.

The Sub-Committee thanked the Applicant for appearing in front of them and felt that he had presented himself very well however, 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 could not approve the application for a personal licence.

Whilst the Sub-Committee accepted that the Applicant knew he had made a serious mistake, they were not convinced that the reality of the offence and the possible serious consequences had been fully realised at this time. The Applicant had been caught driving under the influence whilst carrying passengers and the Sub-Committee felt this showed poor judgment and a serious lack of understanding of the law which a personal licence holder should have.

The Sub-Committee commended the Applicant's desire to succeed and progress with the company he worked for but were concerned that the Applicant would be in a position of responsibility, possibly supervising others to serve alcohol, and also having the responsibility of having to recognise and make decisions as to when customers should not be served further alcohol. The Applicant had failed to realise that he was over the limit and the Sub-Committee were not sure if he would be able to notice these signs in members of the public, especially during busy periods.

The Sub-Committee also noted that the Applicant had been prepared to wait until his offence was spent and had only applied on the encouragement of his manager who felt it would be useful to have a decision before the tourist season began. They felt that this supported the view that the Applicant was not completely ready for the pressure and responsibilities that come with being a licence holder.

The Sub-Committee noted that it was not for them to punish the Applicant further for the offence committed, however they felt that as the conviction was still unspent granting a personal licence would significantly undermine the aim of the prevention of crime and disorder licensing objective. As such the Sub-Committee was not

satisfied that the Applicant would be able to uphold the Licensing Objectives sufficiently and therefore deemed it appropriate to refuse the personal licence.

Cllr D Rollason Chair This page is intentionally left blank

## TEIGNBRIDGE DISTRICT COUNCIL

## LICENSING AND REGULATORY SUB COMMITTEE

## 15 May 2024

## **PARTI**

Report Title	Request for Hackney Carriage Vehicle Extension for	
	further 12 months	
	DN62 WNU Silver Vauxhall Insignia	
Purpose	For the Committee to consider the request, including this	
	report, representations made by the proprietor of the	
	vehicle and to determine whether the vehicle is fit for	
	purpose and should be issued with an extended licensing	
	plate.	
Applicant	Mr Ben Clement	
Options	The Committee may:	
	a. Grant the request, with or without conditions; or	
	b. Refuse the request.	
Report Author	Andrea Furness, Licensing Manager	
	licensing@teignbridge.gov.uk	
Appendices /	A: Request for extension	
Background Papers	B: MOT history	
	C: Photographs	

#### 1. APPLICATION DETAILS

1.1 Vehicle first registered – 24 December 2012
 Age of vehicle, if granted – 11 years and 7 months
 Hackney Carriage licence expires – 18 May 2024

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 4 April 2025 with no advisories.
- 1.3 Vehicle inspection booked at the Depot on 10 May 2024, details to be provided prior to 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.



#### **Andrea Furness**

Subject: FW: 2024 Apr 02 - Information - H440 extension

From: Ben Clement

Sent: Thursday, April 11, 2024 1:02 PM

To: Ext Mail: Licensing < licensing@Teignbridge.gov.uk> Subject: Re: 2024 Apr 02 - Information - H440 extension

Hi Andrea

I have submitted the application for H440.

as you can see my vehicle is now over 10 years old but in great condition so I would like to apply for an extension. The car pretty much had 2 years off due to Covid so hasn't had the working life of a vehicle of its age, I only use it as a space car now so it hasn't done that many miles from its last inspection, please can you send this to committee,

Kind regards

Ben Clement





## **Check MOT history**

This is a new service — <u>Complete a quick survey (https://www.smartsurvey.co.uk/s/GIZZX? vrm=DN62WNU&make\_result=VAUXHALL&model\_result=INSIGNIA&mot\_first\_used\_date=2012-12-24&vehicle\_age=4140&mot\_expiry\_date=2025-04-</u>

<u>04&mot\_expiry\_date\_days\_left=344&user\_satisfaction\_banner=0&vehicle\_data\_origin=MTS&vehicle\_type=LGV</u>) to help us improve.

< Back

## **DN62 WNU**

## VAUXHALL INSIGNIA

Check another vehicle (/)

Colour Fuel type Date registered

Silver Diesel 24 December 2012

MOT valid until

## 4 April 2025

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

<u>Download test certificates (/enter-document-reference?registration=DN62WNU)</u>

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

Show all sections

## **MOT** history

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

Hide

Date tested **15 March 2024** 

**PASS** 

Mileage 197,447 miles MOT test number **8396 9755 7616** 

Test location

Expiry date 4 April 2025

View test location

Monitor and repair if necessary (advisories):

- Exhaust has a minor leak of exhaust gases (6.1.2 (a))
- ► What are advisories?

Date tested 29 March 2023

**PASS** 

Mileage

191,205 miles

MOT test number 9689 2234 2986

Test location

Expiry date 4 April 2024

View test location

Monitor and repair if necessary (advisories):

- NSF Fog lamp not working
- Front Suspension arm pin or bush worn but not resulting in excessive movement Both sides (5.3.4 (a) (i))
- ▶ What are advisories?

Date tested 29 March 2023

FΔII

Mileage 191,205 miles MOT test number 5451 7517 8212

Test location

View test location

Repair immediately (major defects):

- Nearside Front Direction indicator incorrect colour (4.4.3 (a))
- Offside Front Direction indicator incorrect colour (4.4.3) (a))
- Offside Headlamp aim too high (4.1.2 (a))
- Nearside Front Anti-roll bar linkage ball joint excessively worn (5.3.4 (a) (i))
- Offside Front Anti-roll bar linkage ball joint excessively worn (5.3.4 (a) (i))

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))

Monitor and repair if necessary (advisories):

- NSF Fog lamp not working
- Front Suspension arm pin or bush worn but not resulting in excessive movement Both sides (5.3.4 (a) (i))
- What are defects and advisories?

Date tested 5 April 2022

**PASS** 

Mileage

171,576 miles

Test location

View test location

MOT test number 2195 3070 5943

Expiry date 4 April 2023

Monitor and repair if necessary (advisories):

- Front Direction indicator slightly discoloured Both (4.4.3 (a))
- Oil leak, but not excessive (8.4.1 (a) (i))
- ► What are advisories?

Date tested 1 April 2022

**FAIL** 

Mileage 171,198 miles MOT test number **2756 6072 9930** 

Test location

▶ View test location

Repair immediately (major defects):

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

Monitor and repair if necessary (advisories):

- Front Direction indicator slightly discoloured Both (4.4.3 (a))
- Oil leak, but not excessive (8.4.1 (a) (i))
- ▶ What are defects and advisories?

Date tested 26 March 2021

**PASS** 

Mileage

147,627 miles

Test location

View test location

MOT test number

5925 2162 5333

Expiry date 3 April 2022

Monitor and repair if necessary (advisories):

- Nearside Rear brake calliper damp
- What are advisories?

Date tested **10 March 2020** 

**PASS** 

Mileage

127,865 miles

MOT test number

8992 5144 9843

Test location

Expiry date 3 April 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?

Date tested 4 April 2019

**PASS** 

Mileage 114,892 miles

Test location

► <u>View test location</u>

MOT test number **5713 7373 3243** 

Expiry date 3 April 2020

Monitor and repair if necessary (advisories):

- OSF Shock worn
- ▶ What are advisories?

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

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

Date tested 27 March 2018

**PASS** 

Mileage 95,999 miles

Test location

► View test location

MOT test number **7411 9742 6285** 

Expiry date 26 March 2019

Date tested **7 February 2017** 

**PASS** 

Mileage 79,347 miles

Test location

▶ View test location

MOT test number **4855 6647 6801** 

Expiry date

6 February 2018

Date tested **24 December 2015** 

**PASS** 

Mileage 75,349 miles

Test location

View test location

MOT test number **2618 3592 5690** 

Expiry date

23 December 2016

Advisory notice item(s)

- Nearside Front Inner Brake pad(s) wearing thin (3.5.1g)
- Offside Rear Inner Brake pad(s) wearing thin (3.5.1g)
- What are advisories?



Mileage 75,349 miles

MOT test number **2495 1327 0199** 

Test location

▶ View test location

Reason(s) for failure

 Offside Front Headlamp aim too low and too far to the left. (1.8)

Advisory notice item(s)

- Nearside Front Inner Brake pad(s) wearing thin (3.5.1g)
- Offside Rear Inner Brake pad(s) wearing thin (3.5.1g)
- ► What are failures and advisories?

#### Check for vehicle recalls

See if VAUXHALL INSIGNIA DN62WNU has outstanding recalls



<u>Cookies Terms and conditions Privacy notice Accessibility statement MOT history API Service status</u>

Built by the **Driver & Vehicle Standards Agency** 

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## TEIGNBRIDGE DISTRICT COUNCIL

## LICENSING AND REGULATORY SUB COMMITTEE

## 15 May 2024

#### **PARTI**

Report Title	Request for Hackney Carriage Vehicle Extension for
	further 12 months
	DX13 OVS, Grey Vauxhall Zafira
Purpose	For the Committee to consider the request, including this
	report, representations made by the proprietor of the
	vehicle and to determine whether the vehicle is fit for
	purpose and should be issued with an extended licensing
	plate.
Applicant	Mr Colin Freestone
Options	The Committee may:
	a. Grant the request, with or without conditions; or
	b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager
_	licensing@teignbridge.gov.uk
Appendices /	A: Request for extension
Background Papers	B: MOT history

#### 1. APPLICATION DETAILS

1.1 Vehicle first registered – 19 March 2013
 Age of vehicle, if granted - 11 years and 2 months
 Hackney Carriage licence expires – 18 May 2024

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 9 May 2025 with 1 minor defect and 3 advisories.
- 1.3 Vehicle inspection at the Depot on 3 May 2024. Vehicle was failed due to taxi light not working. This will be retested, and the inspection sheet circulated before the hearing. Photographs will also be provided.

#### 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.



## **Regulatory and Appeals Committee**

Dear Chairman and Councillors

I would like to appeal for an extension to my vehicle DX13 OVS, Grey Vauxhall Zafira.

The licence is due to expire 18<sup>th</sup> May 2024 and will be 11 years and 2 months. The vehicle is in excellent condition inside and out.

The cost of replacing vehicles with ones under 5 years old in this current financial climate has risen considerably. This vehicle is only just over 11 years old and has a lot more mileage in it for use as a taxi.

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 excellent physical condition.

Yours faithfully

Colin Freestone





## **Check MOT history**

This is a new service — <u>Complete a quick survey (https://www.smartsurvey.co.uk/s/GIZZX? vrm=DX13OVS&make\_result=VAUXHALL&model\_result=ZAFIRA&mot\_first\_used\_date=2013-03-19&vehicle\_age=4063&mot\_expiry\_date=2025-05-</u>

<u>09&mot\_expiry\_date\_days\_left=371&user\_satisfaction\_banner=0&vehicle\_data\_origin=MTS&vehicle\_type=LGV</u>) to help us improve.

< Back

## DXI3 OVS

## VAUXHALL ZAFIRA

Check another vehicle (/)

Colour Fuel type Date registered

Grey Diesel 19 March 2013

MOT valid until

9 May 2025

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

<u>Download test certificates (/enter-document-reference?registration=DX13OVS)</u>

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

Show all sections

## **MOT** history

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

( Hide

Date tested 3 May 2024

**PASS** 

Mileage 179,434 miles MOT test number **1914 3516 1793** 

Test location

Expiry date 9 May 2025

View test location

Repair as soon as possible (minor defects):

 Windscreen damaged but not adversely affecting driver's view (3.2 (a) (i)) Monitor and repair if necessary (advisories):

- · Coolant below min
- Front Brake disc worn, but not excessively (1.1.14 (a) (i))
- Rear Brake disc worn, but not excessively (1.1.14 (a) (i))
- ▶ What are advisories?

Date tested 3 May 2023

**PASS** 

Mileage 165,551 miles

Test location

► View test location

MOT test number

9097 3136 2543

Expiry date 9 May 2024

Date tested 19 April 2022

**PASS** 

Mileage

144,887 miles

Test location

▶ View test location

MOT test number

4441 3014 0359

Expiry date 9 May 2023

Monitor and repair if necessary (advisories):

- Oil leak, but not excessive (8.4.1 (a) (i))
- 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?

Date tested 10 May 2021

**PASS** 

Mileage

123,756 miles

Test location

View test location

MOT test number

8273 3898 2466

Expiry date

9 May 2022

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?

Date tested 4 May 2020

Mileage 107,018 miles 36

MOT test number **5175 3056 8156** 

**PASS** 

Test location

View test location

Expiry date 3 May 2021

Date tested 4 May 2020

**FAIL** 

Mileage 107,018 miles MOT test number **4618 9991 0520** 

Test location

View test location

Do not drive until repaired (dangerous defects):

• Front Brake pad(s) less than 1.5 mm thick (1.1.13 (a) (ii))

Repair immediately (major defects):

- Offside Headlamp aim projected beam image is obviously incorrect (4.1.2 (c))
- Nearside Rear Direction indicator incorrect colour (4.4.3

   (a))
- Offside Rear Direction indicator incorrect colour (4.4.3

   (a))
- ▶ What are defects?

Date tested 17 April 2019

**PASS** 

Mileage 75,305 miles

Test location

View test location

MOT test number **3220 3679 5740** 

Expiry date

**11 November 2020** 

## The MOT test changed on 20 May 2018

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

Date tested 24 April 2018

**PASS** 

Mileage 40,712 miles

Test location

View test location

MOT test number

8031 1528 7090

Expiry date
11 May 2019

Advisory notice item(s)

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

- Offside Front Suspension arm rubber bush deteriorated but not resulting in excessive movement (2.4.G.2)
- What are advisories?

Date tested 3 May 2017

**PASS** 

Mileage 23,249 miles

Test location

View test location

MOT test number **3473 4747 0456** 

Expiry date 11 May 2018

Date tested 12 May 2016

**PASS** 

Mileage 8,330 miles

Test location

View test location

MOT test number **5890 1047 2666** 

Expiry date 11 May 2017

Date tested **25 January 2016** 

**PASS** 

Mileage 7,570 miles

Test location

View test location

MOT test number 4804 1112 8203

Expiry date

24 January 2017

## Check for vehicle recalls

See if VAUXHALL ZAFIRA DX13OVS has outstanding recalls

Show

<u>Cookies</u> <u>Terms and conditions</u> <u>Privacy notice</u> <u>Accessibility statement</u> <u>MOT history API</u> <u>Service status</u>

Built by the **Driver & Vehicle Standards Agency** 

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## TEIGNBRIDGE DISTRICT COUNCIL

## LICENSING AND REGULATORY SUB COMMITTEE

# 15 May 2024

## **PARTI**

Report Title	Request for Hackney Carriage Vehicle Extension for
	further 12 months
	KV08 XOC Silver Mercedes E220
Purpose	For the Committee to consider the request, including this
	report, representations made by the proprietor of the
	vehicle and to determine whether the vehicle is fit for
	purpose and should be issued with an extended licensing
	plate.
Applicant	Mr Eassa Alipour
Options	The Committee may:
	a. Grant the request, with or without conditions; or
	b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager
	licensing@teignbridge.gov.uk
Appendices /	A: Request for extension
Background Papers	B: MOT history
_	C: Photographs
	D: Inspection Sheet

### 1. APPLICATION DETAILS

1.1 Vehicle first registered – 27 March 2008
 Age of vehicle, if granted - 16 years and 1 month
 Hackney Carriage licence expires – 27 May 2024

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

- 1.2 MOT expires 28 April 2025 with no advisories.
- 1.3 Vehicle inspection passed on 30 April 2024.

## 1.4 Licensing Officer:

Vehicle checked – 22 April 2024.

Officer comments:

The interior and exterior of this vehicle is in excellent condition with no visible signs of wear and tear or any damage to the body work. This is one of two vehicles used only for school contracts and therefore has low annual mileage.

#### 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."
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'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.



Fri 12/04/2024 15:09

Good Afternoon

The reasoning for the application is that Eassa needs to continue working the school contract with DCC for extra income to supplement his state pension. He has a medical annually and wants to work as long as he passes the medical.

The vehicles were purchased new from Mercedes, he therefore has a history of the vehicle which he maintains with Mercedes parts. He would not be suitable for a loan for a new vehicle and is comfortable running the vehicle he has maintained fondly.

Kind regards

Denise Alipour





# **Check MOT history**

This is a new service – <u>Complete a quick survey (https://www.smartsurvey.co.uk/s/GIZZX? vrm=KV08XOC&make\_result=MERCEDES-BENZ&model\_result=E&mot\_first\_used\_date=2008-03-27&vehicle\_age=5873&mot\_expiry\_date=2025-04-</u>

28&mot\_expiry\_date\_days\_left=368&user\_satisfaction\_banner=0&vehicle\_data\_origin=MTS&vehicle\_type=LGV) to help us improve.

< Back

We need your help

Help us improve this service. Complete a quick survey.

## KV08 XOC

# MERCEDES-BENZ E

Check another vehicle (/)

Colour Fuel type Date registered
Silver Diesel 27 March 2008

MOT valid until

# 28 April 2025

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

Download test certificates (/enter-document-reference?registration=KV08XOC)

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

Show all sections

# **MOT** history

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

Hide

Date tested **5 April 2024** 

Mileage 274,458 miles

MOT test number 1351 8662 6970



Test location

View test location

Expiry date 28 April 2025

Date tested 2 April 2024

**FAIL** 

Mileage

274,455 miles

MOT test number **4818 4646 5387** 

Test location

▶ View test location

Repair immediately (major defects):

Windscreen washer not working (3.5 (a))

Monitor and repair if necessary (advisories):

- Nearside Front Tyre worn close to legal limit/worn on edge Inner edge worn (5.2.3 (e))
- Offside Front Tyre worn close to legal limit/worn on edge Inner edge worn (5.2.3 (e))
- Nearside Rear Tyre worn close to legal limit/worn on edge Inner edge worn (5.2.3 (e))
- Offside Front Tyre worn close to legal limit/worn on edge Inner edge worn (5.2.3 (e))
- Nearside Rear Brake hose slightly deteriorated (1.1.12 (b) (ii))
- Offside Rear Brake hose slightly deteriorated (1.1.12 (b) (ii))
- Offside Play in steering rack inner joint(s)
- ▶ What are defects and advisories?

Date tested 29 March 2023

**PASS** 

Mileage

259,679 miles

Test location

▶ View test location

MOT test number

9386 3730 6533

Expiry date **28 April 2024** 

Date tested 31 March 2022

**PASS** 

Mileage

245,087 miles

Test location

View test location

MOT test number

1806 4114 3950

Expiry date 28 April 2023

Date tested 7 April 2021

Mileage 230,153 miles

46

MOT test number 9949 7610 4494



Test location

View test location

Expiry date 28 April 2022

Date tested 1 April 2021

FAIL

Mileage

230,153 miles

MOT test number 4146 7212 3602

Test location

View test location

Repair immediately (major defects):

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

Monitor and repair if necessary (advisories):

- Nearside Front Brake hose slightly deteriorated (1.1.12 (b) (ii))
- Offside Front Brake hose slightly deteriorated (1.1.12 (b)
- Rear Prop shaft flexible coupling slightly deteriorated rear (6.1.7 (d) (i))
- · Offside Rear Nail in tyre
- What are defects and advisories?

Date tested 29 April 2020

**PASS** 

Mileage

228,073 miles

Test location

View test location

MOT test number

4933 4362 2710

Expiry date 28 April 2021

Date tested 8 April 2019

**PASS** 

Mileage

220,410 miles

Test location

View test location

MOT test number 3351 7831 3934

Expiry date

7 October 2020

Monitor and repair if necessary (advisories):

- Rear prop, rear rubber driver plate cracking
- What are advisories?

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

Date tested 30 April 2018

**PASS** 

Mileage 202,920 miles

Test location

▶ View test location

MOT test number **7448 3396 0451** 

Expiry date 28 May 2019

Date tested 2 May 2017

**PASS** 

Mileage

180,903 miles

Test location

► View test location

MOT test number **1674 5170 1136** 

Expiry date 28 May 2018

Date tested **5 May 2016** 

**PASS** 

Mileage

163,273 miles

Test location

▶ View test location

MOT test number

1106 9450 2431

Expiry date 28 May 2017

Date tested 3 May 2016

**FAIL** 

Mileage

163,075 miles

Test location

View test location

MOT test number **5962 6905 4345** 

Reason(s) for failure

- Nearside Front suspension has excessive play in a lower suspension ball joint (2.5.B.1a)
- ▶ What are failures?

Date tested 14 May 2015

**PASS** 

Mileage

139,247 miles

Test location

View test location

MOT test number

2687 9423 5493

Expiry date 28 May 2016

Date tested Mileage 48 MOT test number

30 April 2014

**PASS** 

127,735 miles

Test location

View test location

9686 5032 4146

Expiry date 28 May 2015

Date tested 3 May 2013

**PASS** 

Mileage

109,046 miles

Test location

View test location

MOT test number

1392 1342 3138

MOT test number

3588 9182 3142

Expiry date 28 May 2014

Date tested

1 May 2013

**FAIL** 

Mileage

108,756 miles

Test location

▶ View test location

Reason(s) for failure

- Nearside Front brake disc in such a condition that it is seriously weakened (3.5.1i)
- Offside Front brake disc in such a condition that it is seriously weakened (3.5.1i)
- ▶ What are failures?

Date tested 1 May 2012

**PASS** 

Mileage 81,330 miles

Test location

View test location

MOT test number 2483 4242 2490

Expiry date 28 May 2013

Date tested 6 May 2011

**PASS** 

Mileage 69,305 miles

03,303 111163

Test location

View test location

MOT test number **1759 5622 1192** 

Expiry date 28 May 2012

Date tested 6 May 2011

**FAIL** 

Mileage **69,305 miles** 

09,303 iiiies

Test location 49

MOT test number **5281 6682 1155** 

#### View test location

### Reason(s) for failure

- Nearside Rear Tyre has a bulge, caused by separation or partial failure of its structure (4.1.D.1b)
- Offside Rear Tyre has a bulge, caused by separation or partial failure of its structure (4.1.D.1b)
- Front Brake pad(s) less than 1.5 mm thick (3.5.1g)
- Rear Brake pad(s) less than 1.5 mm thick (3.5.1g)
- ▶ What are failures?

7 May 2010

**PASS** 

Mileage 44,569 miles

Test location

View test location

MOT test number **7021 9782 0172** 

MOT test number

3040 2612 0152

Expiry date 28 May 2011

Date tested 6 May 2010

**FAIL** 

Mileage 44,563 miles

Test location

View test location

Reason(s) for failure

- Nearside Rear Tyre tread depth below requirements of 1.6mm (4.1.E.1)
- ▶ What are failures?

Date tested 29 May 2009

**PASS** 

Mileage 14,518 miles

Test location

View test location

MOT test number 9004 1944 9167

Expiry date 28 May 2010

## Check for vehicle recalls

See if MERCEDES-BENZ E KV08XOC has outstanding recalls

Show

<u>Cookies Terms and conditions Privacy notice Accessibility statement MOT history API Service status</u>

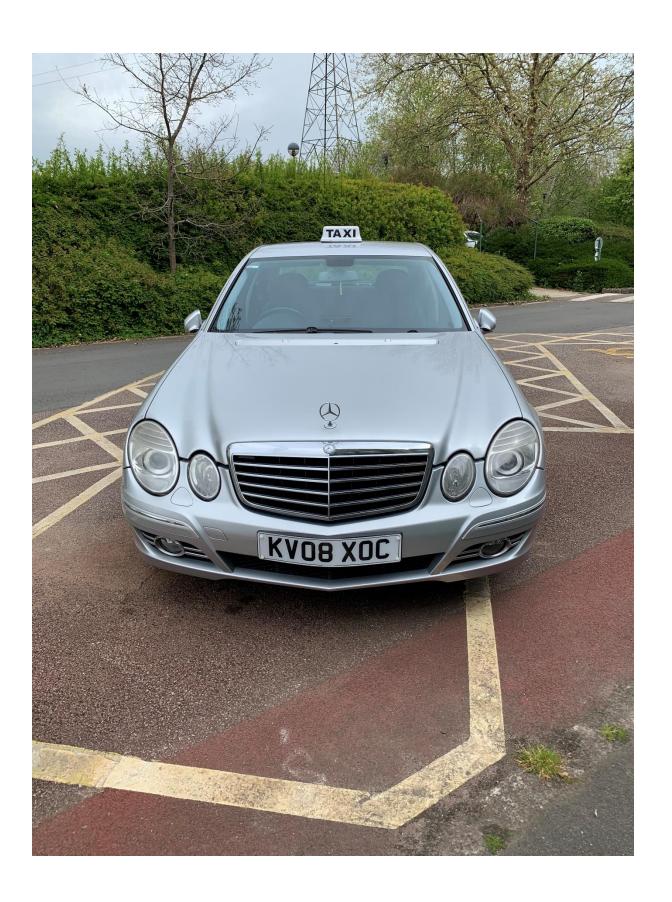
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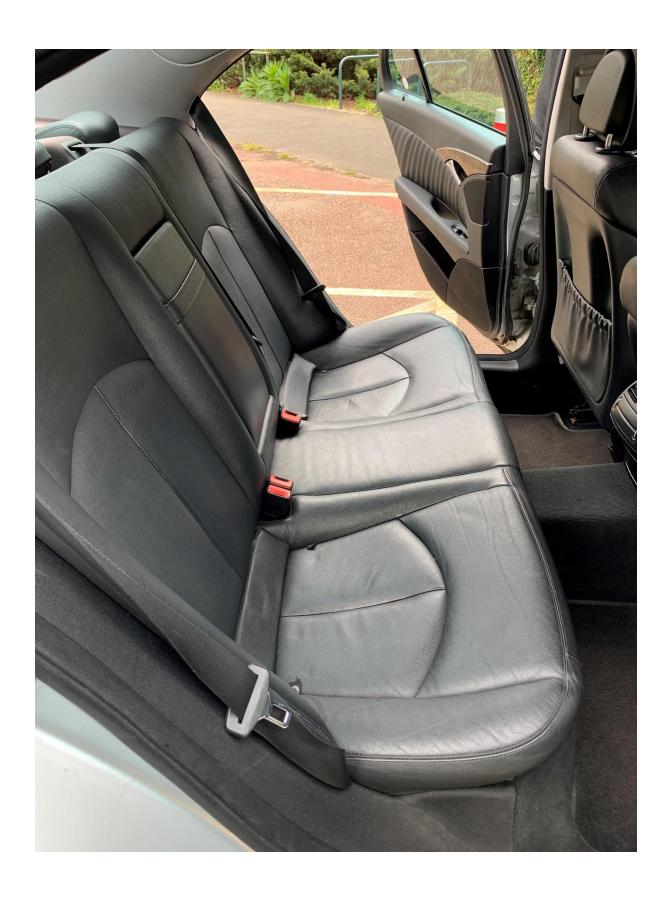


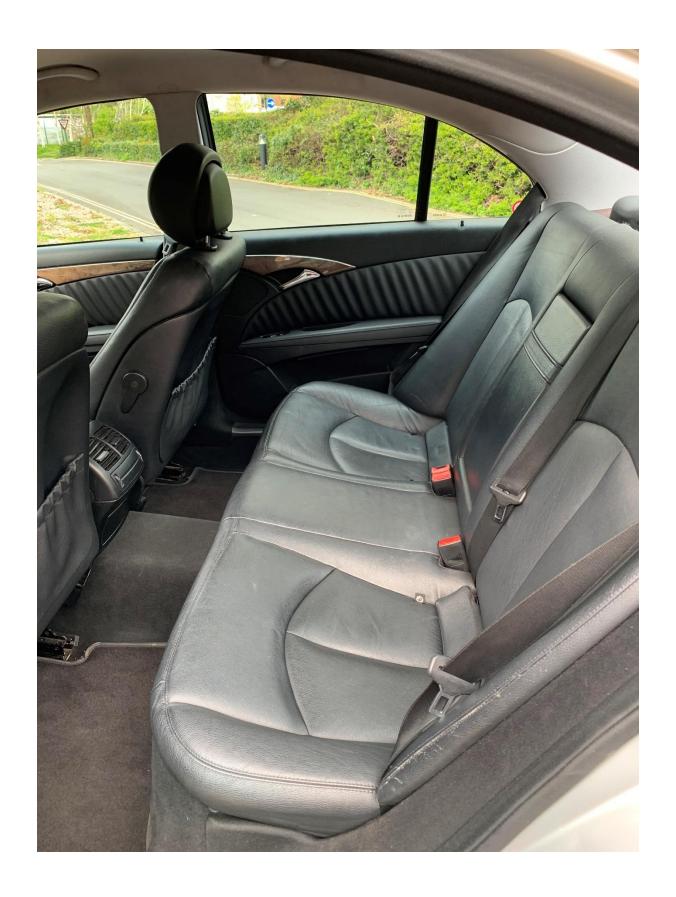


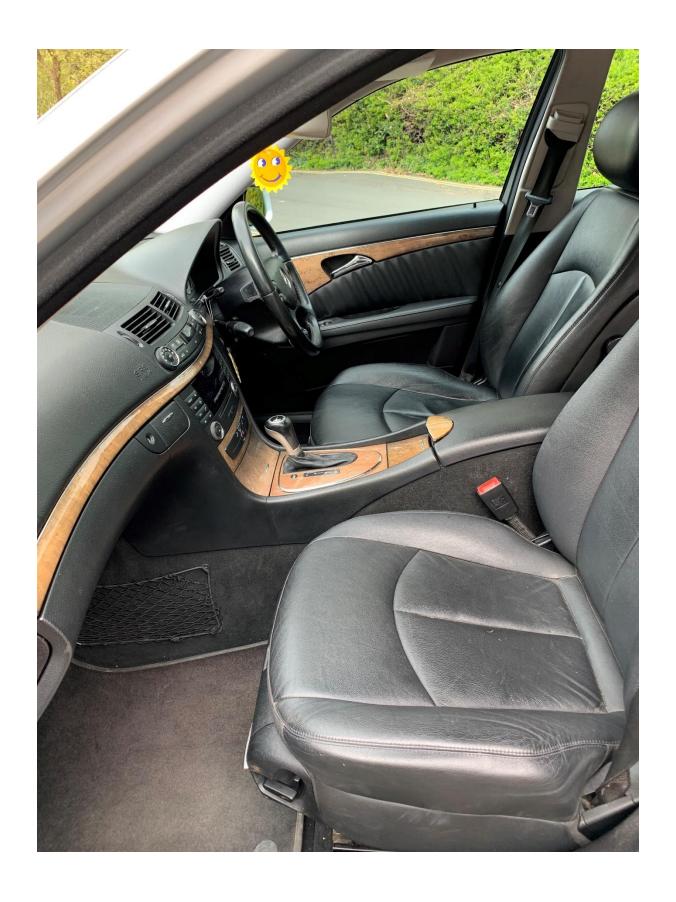


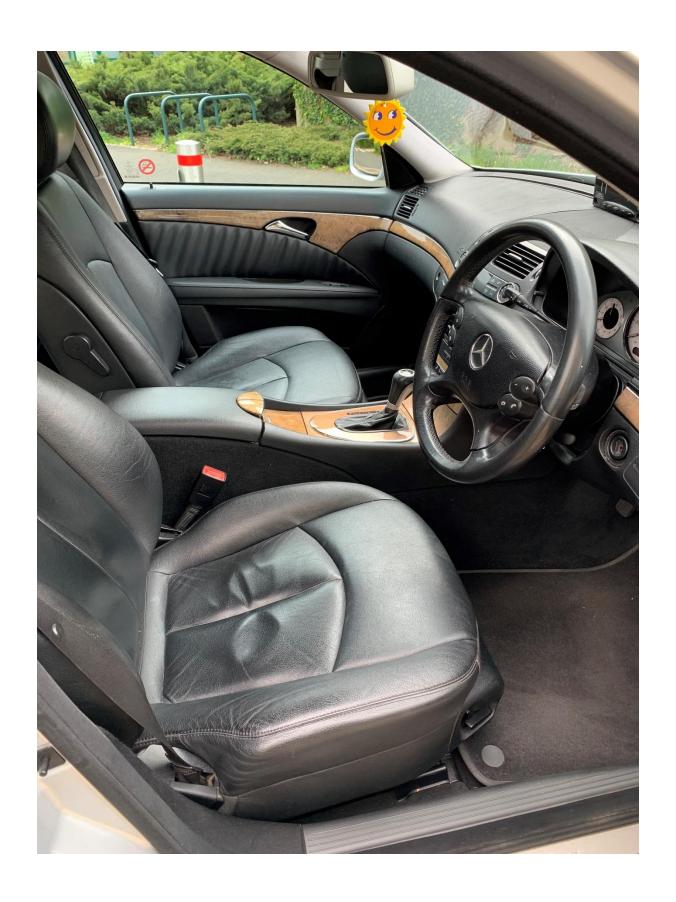














Teignbridge District Council - Vehicle Inspection Sheet Annual / 6 Monthly / 4 Monthly / MOT Committee Mr Alifart 330 No.Passengers 4 Hackney Carriage/Private Hire Owner Registration No Plate No H201 Comments \* Pass Fail Re-Tested Steering and Suspension 1 Steering Control 2 Steering Mechanism/System 3 Power Steering 4 Transmission Shaft 5 Wheel Bearings 6 Front Suspension Rear Suspension 8 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 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 78 % 23 Efficiency - Handbrake 37 % Tyres & Wheels 24 Tyre Type & Condition 25 Road Wheels General 26 Compliance with current MOT reqs. thont 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 Avaust 40 Fire Extinguisher with Sticker 41 First Aid Kit with Sticker 42 No Smoking Stickers 43 Rooflight Operational 44 Current MOT/Date 45 Meter Fitted & Tested 46 Fuel & Oil Leaks 47 Tariff Card Displayed 48 Livery Compliant 49 Windows Operational Certificate Brake Test Results NSF 378 OSF 363 I hereby certify that I have carried out the various examinations of the OSR 326 vehicle as scheduled and the vehicle has PASSED //FAILED 290 NSR I have also checked the fare/meter over a prescribed distance and it is correct NSH 272 OSH 295 1750 Brake Weight Date 30-04-24 3.2 Signed: " **Emmission Test Value** Re-show Items **Print Name** Passed Re-Test Date

Date March 19 Rev.No. 3

Date due by

607537713



## TEIGNBRIDGE DISTRICT COUNCIL

## LICENSING AND REGULATORY SUB COMMITTEE

## 15 May 2024

## **PARTI**

Report Title	Request for Hackney Carriage Vehicle Extension for
	further 12 months
	KV09 WPK Silver Mercedes E220
Purpose	For the Committee to consider the request, including this report, representations made by the proprietor of the vehicle and to determine whether the vehicle is fit for
	purpose and should be issued with an extended licensing
	plate.
Applicant	Mr Eassa Alipour
Options	The Committee may:
	a. Grant the request, with or without conditions; or
	b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager
_	licensing@teignbridge.gov.uk
Appendices /	A: Request for extension
Background Papers	B: MOT history
	C: Photographs

#### 1. APPLICATION DETAILS

1.1 Vehicle first registered – 30 March 2009
 Age of vehicle, if granted – 15 years and 1 month
 Hackney Carriage licence expires – 10 June 2024

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 26 April 2025 with no advisories.
- 1.3 Vehicle inspection booked at the Depot on 17 May 2024. This is after the hearing date due to lack of available inspection dates.

## 1.4 Licensing Officer:

Vehicle checked – 24 April 2024

Officer comments:

The interior and exterior of this vehicle is in excellent condition with no visible signs of wear and tear or any damage to the body work. This is one of two vehicles used only for school contracts and therefore has low annual mileage.

#### 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'.

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- 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."
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'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.



Fri 12/04/2024 15:09

Good Afternoon

The reasoning for the application is that Eassa needs to continue working the school contract with DCC for extra income to supplement his state pension. He has a medical annually and wants to work as long as he passes the medical.

The vehicles were purchased new from Mercedes, he therefore has a history of the vehicle which he maintains with Mercedes parts. He would not be suitable for a loan for a new vehicle and is comfortable running the vehicle he has maintained fondly.

Kind regards

Denise Alipour





## **Check MOT history**

This is a new service – <u>Complete a quick survey (https://www.smartsurvey.co.uk/s/GIZZX? vrm=KV09WPK&make\_result=MERCEDES-BENZ&model\_result=E&mot\_first\_used\_date=2009-03-30&vehicle\_age=5505&mot\_expiry\_date=2025-04-</u>

<u>26&mot\_expiry\_date\_days\_left=366&user\_satisfaction\_banner=0&vehicle\_data\_origin=MTS&vehicle\_type=LGV</u>) to help us improve.

< Back

## KV09 WPK

# MERCEDES-BENZ E

Check another vehicle (/)

Colour Fuel type Date registered Silver Diesel 30 March 2009

MOT valid until

# 26 April 2025

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

<u>Download test certificates (/enter-document-reference?registration=KV09WPK)</u>

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

Show all sections

# **MOT** history

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

♠ Hide

Date tested 10 April 2024

**PASS** 

Mileage 319,838 miles

Test location

View test location

MOT test number **7188 7492 5630** 

Expiry date 26 April 2025

Date tested 8 April 2024

Mileage **319,835 mbes** 

MOT test number **7505 4865 8820** 



#### Test location

#### View test location

Do not drive until repaired (dangerous defects):

- . Nearside Front Tyre tread depth below requirements of 1.6mm (5.2.3 (e))
- Offside Front Tyre tread depth below requirements of 1.6mm (5.2.3 (e))
- Nearside Rear Brake pad(s) less than 1.5 mm thick (1.1.13 (a) (ii))

Monitor and repair if necessary (advisories):

- Offside Front Service brake binding but not excessively (1.2.1 (f))
- Nearside Play in steering rack inner joint(s)
- What are defects and advisories?

Date tested 29 March 2023

**PASS** 

Mileage 304,993 miles

Test location

▶ View test location

MOT test number 7124 8670 3493

Expiry date 26 April 2024

Date tested 27 March 2023

**FAIL** 

Mileage 304,934 miles

Test location

View test location

MOT test number 1249 7940 2282

Repair immediately (major defects):

• Offside Front Suspension component ball joint excessively worn onto track control arm (5.3.4 (a) (i))

Monitor and repair if necessary (advisories):

- Nearside Rear Tyre worn close to legal limit/worn on edge Inner edge worn (5.2.3 (e))
- Offside Rear Tyre worn close to legal limit/worn on edge Inner edge worn (5.2.3 (e))
- ▶ What are defects and advisories?

Date tested 30 March 2022

PASS

Mileage

289,676 miles

Test location

MOT test number

7757 4608 7269

Expiry date 26 April 2023 Date tested **28 March 2022** 

**FAIL** 

Mileage 289,671 miles

MOT test number **9098 2426 3748** 

Test location

View test location

Repair immediately (major defects):

Offside Headlamp not working on main beam (4.1.1 (a) (ii))

Monitor and repair if necessary (advisories):

- Nearside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))
- 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))
- Offside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))
- ▶ What are defects and advisories?

Date tested **15 April 2021** 

**PASS** 

Mileage

273,896 miles

Test location

View test location

MOT test number

4011 6374 8686

Expiry date 26 April 2022

Date tested 10 April 2021



Mileage

273,896 miles

MOT test number **5035 8647 8208** 

Test location

View test location

Do not drive until repaired (dangerous defects):

 Front Fuel system component leaking excessively or a risk of fire (6.1.3 (b) (ii))

Repair immediately (major defects):

- Front Fuel hose leaking (6.1.3 (b) (i))
- Rear Headlamp levelling device inoperative (4.1.5 (a))
- Headlamp aim not tested (4.1.2 (b))

Monitor and repair if necessary (advisories):

Offside Front Play in steering rack inner joint(s)

- Nearside Front Wheel bearing has slight play (5.1.3 (a) (i))
- Offside Front Wheel bearing has slight play (5.1.3 (a) (i))
- Nearside Front Brake hose slightly deteriorated (1.1.12 (b) (ii))
- Offside Front Brake hose slightly deteriorated (1.1.12 (b) (ii))
- ► What are defects and advisories?

Date tested **27 April 2020** 

**PASS** 

Mileage 270,141 miles

MOT test number **4420 3475 7589** 

Test location

Expiry date 26 April 2021

View test location

Monitor and repair if necessary (advisories):

- Nearside Rear Brake hose slightly deteriorated (1.1.12 (b) (ii))
- Offside Rear Brake hose slightly deteriorated (1.1.12 (b) (ii))
- Nearside Front Wheel bearing has slight play (5.1.3 (a) (i))
- Offside Front Wheel bearing has slight play (5.1.3 (a) (i))
- What are advisories?

Date tested 27 April 2020



Mileage 270,141 miles

MOT test number **5431 1841 3310** 

Test location

View test location

Repair immediately (major defects):

- Offside Front Headlamp light intensity severely reduced (4.1.4 (a))
- Offside Front Lower Suspension arm ball joint excessively worn spring control arm ball joint (5.3.4 (a) (i))

Monitor and repair if necessary (advisories):

- Nearside Rear Brake hose slightly deteriorated (1.1.12 (b) (ii))
- Offside Rear Brake hose slightly deteriorated (1.1.12 (b) (ii))
- Nearside Front Wheel bearing has slight play (5.1.3 (a) (i))
- Offside Front Wheel bearing has slight play (5.1.3 (a) (i))
- ▶ What are defects and advisories?

Date tested 24 April 2019

**PASS** 

Mileage 246,021 miles

Test location

View test location

MOT test number 6563 7835 1693

Expiry date

23 October 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).

Date tested 15 May 2018

**PASS** 

Mileage

216,168 miles

Test location

View test location

MOT test number 5222 3915 9149

Expiry date 10 June 2019

Date tested 15 May 2017

**PASS** 

Mileage

179,313 miles

Test location

View test location

MOT test number 7519 2056 6625

MOT test number

9712 4811 5684

Expiry date 10 June 2018

Date tested 15 May 2017

**FAIL** 

Mileage

179,312 miles

Test location

View test location

Reason(s) for failure

- Offside Windscreen washer provides insufficient washer liquid (8.2.3)
- rear parking (secondary) brakes imbalanced (3.7.B.6b)
- What are failures?

Date tested 25 May 2016

**PASS** 

Mileage

142,083 miles

Test location

MOT test number 3507 1486 1072

Expiry date 10 June 2017

#### View test location

#### Advisory notice item(s)

- Front Brake disc's worn.
- Offside Front wheel bearing has slight play (2.5.A.3c)
- What are advisories?

Date tested 19 May 2016

**FAIL** 

Mileage 141,936 miles MOT test number **3667 7533 2886** 

Test location

View test location

#### Reason(s) for failure

- Windscreen has damage to an area in excess of a 10mm circle within zone 'A' (8.3.1a)
- Windscreen has a sticker or other obstruction encroaching into the swept area by more than 40mm outside zone 'A' (8.3.1e)
- Nearside Headlamp incorrect colour pink (1.7.5b)

Advisory notice item(s)

- Front Brake disc's worn.
- Offside Front wheel bearing has slight play (2.5.A.3c)
- ▶ What are failures and advisories?

Date tested 18 May 2015

**PASS** 

Mileage 106.735 miles MOT test number **3875 5863 5190** 

Test location

Expiry date
10 June 2016

► View test location

Advisory notice item(s)

• Items removed from driver's view prior to test

► What are advisories?

Date tested 22 May 2014

**PASS** 

Mileage 58,703 miles

MOT test number 3372 9284 4109

Test location

Expiry date 10 June 2015

View test location

Advisory notice item(s)

- nearside rear tyre down to 2 mm
- ► What are advisories?

Date tested 11 June 2013

**PASS** 

Mileage 16,354 miles

Test location

▶ View test location

MOT test number **6753 8236 3175** 

Expiry date **10 June 2014** 

Date tested 18 May 2012

**PASS** 

Mileage 13,058 miles

Test location

▶ View test location

MOT test number **7498 5913 2105** 

Expiry date 17 May 2013

#### Check for vehicle recalls

See if MERCEDES-BENZ E KV09WPK has outstanding recalls

Show

<u>Cookies Terms and conditions Privacy notice Accessibility statement MOT history API Service status</u>

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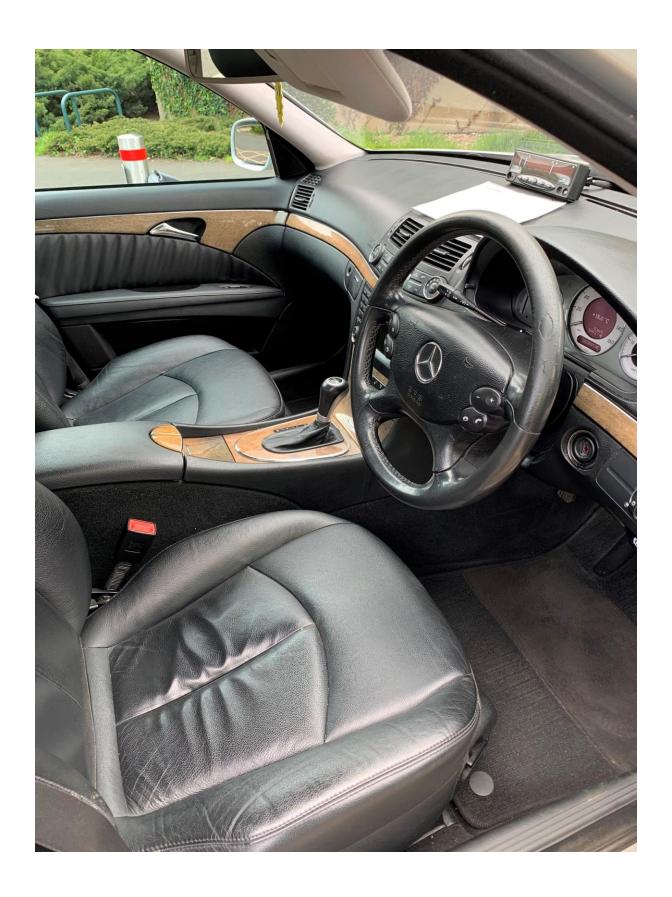


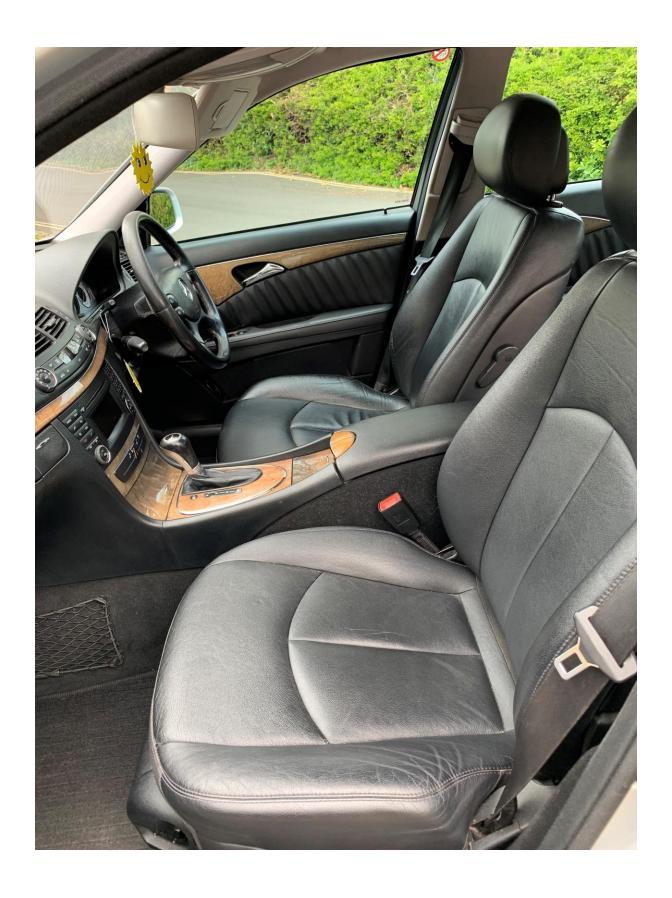


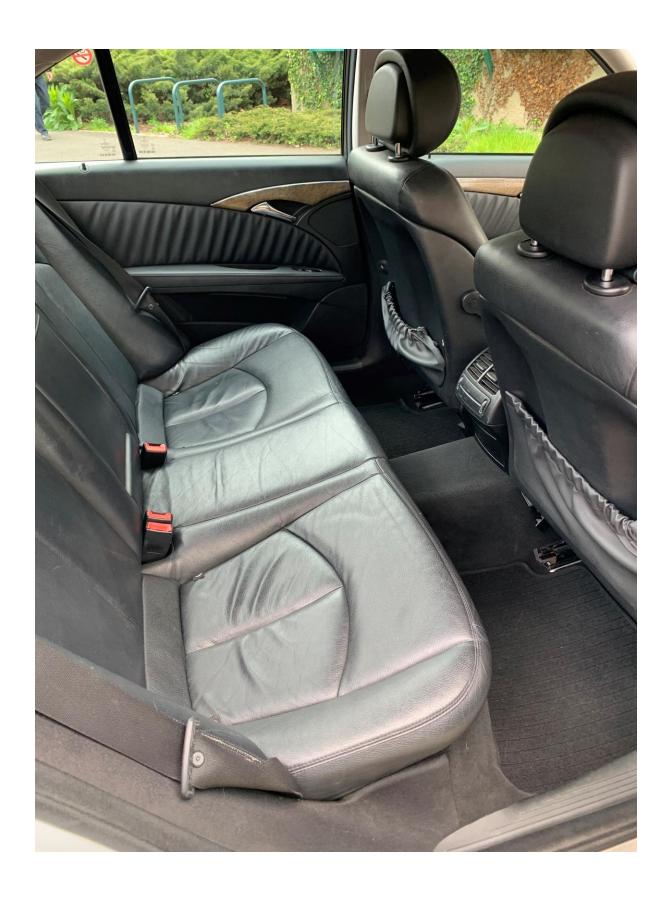


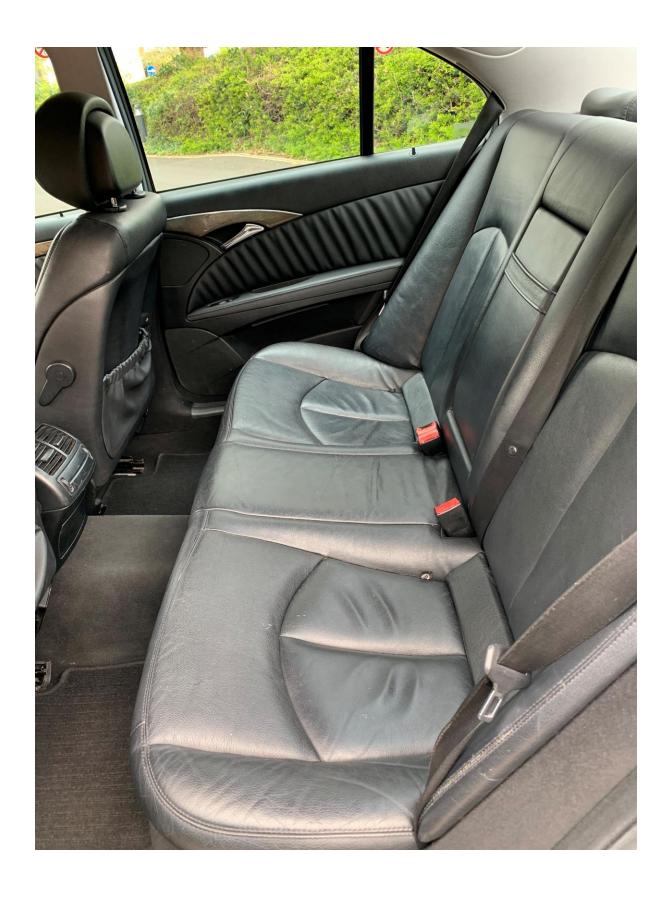














#### TEIGNBRIDGE DISTRICT COUNCIL

#### LICENSING AND REGULATORY SUB COMMITTEE

## 15 May 2024

#### **PARTI**

Report Title	Request for Hackney Carriage Vehicle Extension for further 12 months MK12 YWA Black Ford Mondeo
Purpose	For the Committee to consider the request, including this report, representations made by the proprietor of the vehicle and to determine whether the vehicle is fit for purpose and should be issued with an extended licensing plate.
Applicant	Mr Constantin Pop
Options	The Committee may:
	a. Grant the request, with or without conditions; or
	b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager
	licensing@teignbridge.gov.uk
Appendices /	A: Request for extension
Background Papers	B: MOT history
	C: Photographs
	D: Inspection sheet - failure

#### 1. APPLICATION DETAILS

1.1 Vehicle first registered – 5 March 2012
 Age of vehicle, if granted - 12 years and 2 months
 Hackney Carriage licence expires – 16 May 2024

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 1 March 2025 with no advisories.
- 1.3 Vehicle inspection at the Depot on 2 May 2024. Vehicle failed and a stop notice issued until repair undertaken. New part has been ordered and will be retested prior to 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.



#### **Regulatory and Appeals Committee**

Dear Chairman and Councillors

I would like to appeal for an extension to my vehicle MK12 YWA, Ford Mondeo.

The licence is due to expire 16<sup>th</sup> May 2024. The vehicle will be 12 years and 2 months old.

The vehicle is in excellent condition inside and out. If anything goes wrong or I think it needs work done I always take it straight to my mechanic. I like to ensure that it is clean and polished at all times and in top mechanical condition.

The cost of replacing this vehicle with one that is under 5 years old is not something I am currently able to afford, the increase cost of second-hand cars and the rate of inflation is continuing to have a huge effect on the industry.

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

I understand that I have to present the vehicle to a licensing officer so that a report can be prepared and that it must have a taxi test at the depot prior to the next committee hearing.

Yours faithfully

Constantin Pop





## **Check MOT history**

This is a new service — Complete a quick survey (https://www.smartsurvey.co.uk/s/GIZZX? vrm=MK12YWA&make\_result=FORD&model\_result=MONDEO&mot\_first\_used\_date=2012-03-05&vehicle\_age=4434&mot\_expiry\_date=2025-03-

<u>01&mot\_expiry\_date\_days\_left=310&user\_satisfaction\_banner=0&vehicle\_data\_origin=MTS&vehicle\_type=LGV</u>) to help us improve.

< Back

## MKI2 YWA

# **FORD MONDEO**

Check another vehicle (/)

Colour Fuel type Date registered

Black Diesel 5 March 2012

MOT valid until

## 1 March 2025

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

<u>Download test certificates (/enter-document-reference?registration=MK12YWA)</u>

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

Show all sections

## **MOT** history

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

♠ Hide

Date tested

1 March 2024

**PASS** 

Mileage 360,517 miles

Test location

View test location

MOT test number **8557 5304 2111** 

Expiry date

1 March 2025

Date tested

1 March 2023

Mileage **331,157 m9es** 

MOT test number **5351 4508 7477** 

# **PASS**

Test location

View test location

Expiry date

1 March 2024

Monitor and repair if necessary (advisories):

- Tyre worn close to legal limit/worn on edge Fronts wearing on shoulders (5.2.3 (e))
- Offside Rear Road wheel slightly distorted (5.2.2 (c) (i))
- ► What are advisories?

Date tested **28 February 2023** 

FAIL

Mileage 330,978 miles

MOT test number **8039 0813 3126** 

Test location

View test location

Repair immediately (major defects):

- Offside Front Suspension arm ball joint excessively worn (5.3.4 (a) (i))
- Nearside Front Shock absorbers has a serious fluid leak (5.3.2 (b))

Monitor and repair if necessary (advisories):

- Offside Rear Anti-roll bar linkage ball joint has slight play (5.3.4 (a) (i))
- Gearbox oil leak
- Front Exhaust has a minor leak of exhaust gases (6.1.2

   (a))
- Tyre worn close to legal limit/worn on edge Fronts wearing on shoulders (5.2.3 (e))
- Offside Rear Road wheel slightly distorted (5.2.2 (c) (i))
- What are defects and advisories?

Date tested **24 February 2022** 

**PASS** 

Mileage 301,681 miles

MOT test number **6073 9430 7029** 

Test location

Expiry date

View test location

1 March 2023

Date tested **24 February 2022** 

**FAIL** 

Mileage 301,681 miles

MOT test number **1245 2500 9682** 

Test location

View test location 92

#### 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))
- What are defects?

Date tested

1 March 2021

**PASS** 

Mileage 276,445 miles

MOT test number 1998 1011 6730

Test location

Expiry date

1 March 2022

▶ View test location

Monitor and repair if necessary (advisories):

- Oil leak, but not excessive (8.4.1 (a) (i))
- Nearside Front Road wheel slightly distorted (5.2.2 (c) (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 2354518 (5.2.3 (e))
- ▶ What are advisories?

Date tested **27 February 2021** 

**FAIL** 

Mileage 276,381 miles

MOT test number **7235 4000 1783** 

Test location

View test location

Repair immediately (major defects):

- Registration plate lamp inoperative in the case of a single lamp or all lamps (4.7.1 (b) (ii))
- Exhaust emissions exceed default limit of 1.5m-1 (8.2.2.2 (b))

Monitor and repair if necessary (advisories):

- Oil leak, but not excessive (8.4.1 (a) (i))
- Nearside Front Road wheel slightly distorted (5.2.2 (c) (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 2354518 (5.2.3 (e))
- What are defects and advisories?



Test location

View test location

Expiry date 1 March 2021

Monitor and repair if necessary (advisories):

- Offside Front Brake pad(s) wearing thin (1.1.13 (a) (ii))
- What are advisories?

Date tested **28 February 2020** 

FAIL

Mileage 254,240 miles MOT test number

5851 3999 5435

Test location

View test location

Repair immediately (major defects):

· Offside Headlamp aim projected beam image is obviously incorrect (4.1.2 (c))

Monitor and repair if necessary (advisories):

- Offside Front Brake pad(s) wearing thin (1.1.13 (a) (ii))
- What are defects and advisories?

Date tested 1 March 2019

**PASS** 

Mileage

225,076 miles

Test location

View test location

MOT test number

3170 2883 0583

Expiry date 1 March 2020

Repair as soon as possible (minor defects):

- Windscreen damaged but not adversely affecting driver's view (3.2 (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).

Date tested 1 March 2018

**PASS** 

Mileage

197,634 miles

MOT test number 5424 1457 1102

Test location

94

Expiry date

View test location

1 March 2019

Date tested 2 March 2017

**PASS** 

Mileage 176.553 miles

176,553 miles 6655 7433 0038

Test location

▶ View test location

Expiry date

1 March 2018

MOT test number

Date tested 17 May 2016

Mileage 151,041 miles MOT test number **5111 7740 3517** 

**PASS** 

Test location

Expiry date 16 May 2017

View test location

Advisory notice item(s)

• Rear Brake pad(s) wearing thin (3.5.1g)

► What are advisories?

Date tested **26 February 2016** 

**PASS** 

Mileage 153,427 miles MOT test number **9587 6636 8893** 

Test location

Expiry date 5 March 2017

View test location

Advisory notice item(s)

• Rear Brake pad(s) wearing thin (3.5.1g)

Offside Rear Brake disc pitted

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)

· Front tyres low inner edge

Front Wipers starting to smear

· Washers partially blocked

What are advisories?

Date tested 6 March 2015

**PASS** 

Mileage 111,889 miles MOT test number **7391 9576 5053** 

Test location

Expiry date 5 March 2016

View test location

# **FAIL**

MOT test number **3571 3586 5087** 

Test location

View test location

#### Reason(s) for failure

- Offside Front Tyre has ply or cords exposed (4.1.D.1b)
- Nearside Rear Tyre has a lump, caused by separation or partial failure of its structure (4.1.D.1b)
- Offside Rear Tyre has a lump, caused by separation or partial failure of its structure (4.1.D.1b)
- Registration plate lamp not working (1.1.C.1d)
- rear brake application uneven (3.7.B.2)

#### Advisory notice item(s)

- Rear Brake pad(s) wearing thin (3.5.1g)
- ► What are failures and advisories?

#### Check for vehicle recalls

See if FORD MONDEO MK12YWA has outstanding recalls



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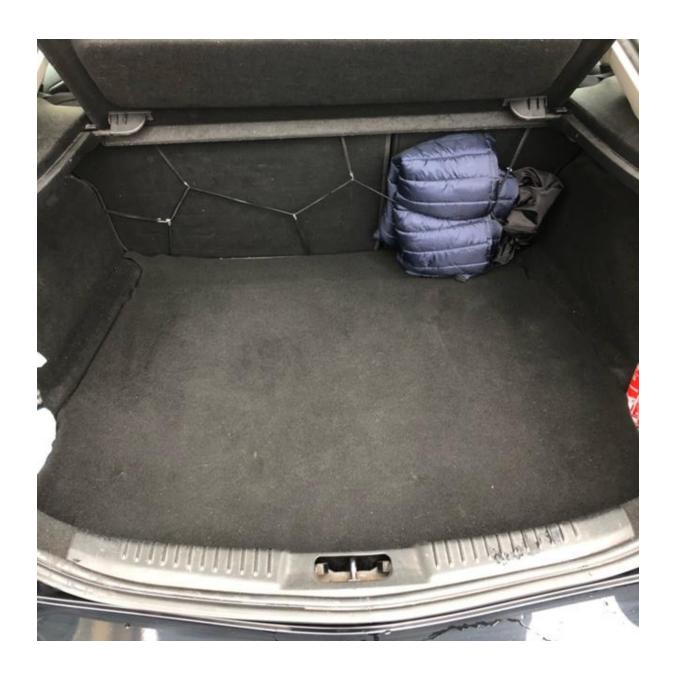
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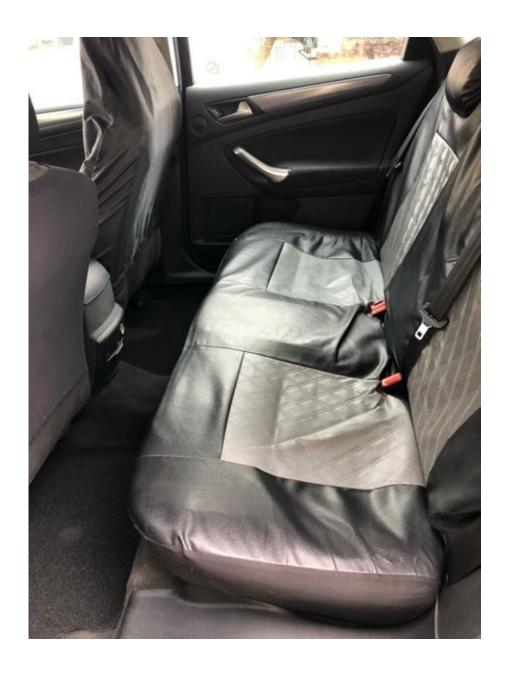


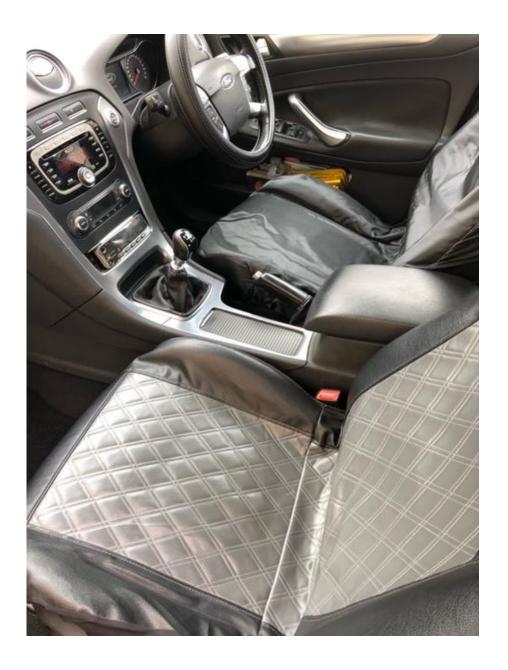














Teignbridge District Council - Vehicle Inspection Sheet

Annual / 6 Monthly (4 Monthly MOT Committee Owner Constantine Hackney Carriage/Private-Hire 02-05-24 Mileage 365534 Registration No Mk12YLJA Plate No · M469 Comments -Fail Re-Tested 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 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** 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 73 % 23 Efficiency - Handbrake 26 % Tyres & Wheels 24 Tyre Type & Condition 25 Road Wheels General light 26 Compliance with current MOT reqs. anos 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 40 Fire Extinguisher with Sticker 41 First Aid Kit with Sticker 42 No Smoking Stickers 43 Rooflight Operational March 44 Current MOT/Date 45 Meter Fitted & Tested 46 Fuel & Oil Leaks 47 Tariff Card Displayed 48 Livery Compliant 49 Windows Operational **Certificate** Brake Test Results NSF 7 VO I hereby certify that I have carried out the various examinations of the vehicle as scheduled and the vehicle has PASSED / FAILED NSR I have also checked the fare/meter over a prescribed distance and it is correct NSH OSH 226 212 1690 Brake Weight Date 02-05-24 Signed: **Emmission Test Value** Re-show Items **Print Name** Passed Re-Test Date Date due by Date March 19 Rev.No. 3 02808668



#### TEIGNBRIDGE DISTRICT COUNCIL

### LICENSING AND REGULATORY SUB COMMITTEE

## 15 May 2024

#### **PARTI**

Report Title	Request for Hackney Carriage Vehicle Extension for further 12 months
	SA14 CAB Silver Skoda Superb
Purpose	For the Committee to consider the request, including this
	report, representations made by the proprietor of the
	vehicle and to determine whether the vehicle is fit for
	purpose and should be issued with an extended licensing
	plate.
Applicant	Mrs Sally-Ann Moore
Options	The Committee may:
	a. Grant the request, with or without conditions; or
	b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager
-	licensing@teignbridge.gov.uk
Appendices /	A: Applicant request
Background Papers	B: MOT history

#### 1. APPLICATION DETAILS

1.1 Vehicle first registered – 21 May 2014
 Age of vehicle, if granted – just 10 years
 Hackney Carriage licence expires – 27 May 2024

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

- 1.2 MOT expires on 19 May 2024 with 3 advisories.
- 1.3 Vehicle inspection booked at the Depot on 13 May 2024, details to be provided prior to the hearing, along with photographs of the vehicle.

#### 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.



#### Tue 30/04/2024 14:56

I would like to ask for an extension beyond 10 years because, having had this vehicle from new, I have looked after it and it is in excellent condition in all respects. The present economic climate doesn't warrant replacing this vehicle sooner than absolutely necessary. I formally request an extension for H376.

Thank you. Sally-Ann Moore





## **Check MOT history**

This is a new service – <u>Complete a quick survey (https://www.smartsurvey.co.uk/s/GIZZX? vrm=SA14CAB&make\_result=SKODA&model\_result=SUPERB&mot\_first\_used\_date=2014-05-27&vehicle\_age=3621&mot\_expiry\_date=2024-05-</u>

19&mot\_expiry\_date\_days\_left=24&user\_satisfaction\_banner=0&vehicle\_data\_origin=MTS&vehicle\_type=LGV) to help us improve.

< Back

# This vehicle's MOT expires soon

## SAI4 CAB

# **SKODA SUPERB**

Check another vehicle (/)

Colour Fuel type Date registered
Silver Diesel 27 May 2014

MOT valid until

19 May 2024

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

<u>Download test certificates (/enter-document-reference?registration=SA14CAB)</u>

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

Show all sections

## **MOT** history

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

♠ Hide

Date tested 15 May 2023

Mileage 247,075 miles

MOT test number **6803 1978 3902** 

Test location 13

Expiry date

**PASS** 

View test location

19 May 2024

Monitor and repair if necessary (advisories):

- Nearside Rear Wheel bearing has slight play (5.1.3 (a) (i))
- Rear Brake disc worn, pitted or scored, but not seriously weakened (1.1.14 (a) (ii))
- Rear Brakes imbalanced requirements only just met. It would appear that the braking system requires adjustment or repair. (1.2.1 (b) (i))
- What are advisories?

Date tested 11 May 2022

**PASS** 

Mileage

234,909 miles

Test location

View test location

MOT test number

9474 5057 2476

Expiry date 19 May 2023

Date tested 11 May 2022

**FAIL** 

Mileage

234,909 miles

MOT test number

3891 7773 0470

Test location

View test location

Repair immediately (major defects):

- Offside Front Anti-roll bar linkage ball joint dust cover no longer prevents the ingress of dirt (5.3.4 (b) (ii))
- What are defects?

Date tested 28 April 2021

PASS

Mileage

218,490 miles

MOT test number 7917 9326 4488

**Test location** 

Expiry date 19 May 2022

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?

Date tested 20 May 2020

**PASS** 

Mileage 199,814 miles

MOT test number 1761 6908 8392

Test location

Expiry date 19 May 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))
- Small oil leak
- What are advisories?

Date tested 20 May 2020

FΔII

Mileage 199,814 miles MOT test number 7803 0333 8355

Test location

View test location

Repair immediately (major defects):

 Nearside Front Anti-roll bar linkage ball joint excessively worn (5.3.4 (a) (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))
- Small oil leak
- What are defects and advisories?

Date tested 13 May 2019

**PASS** 

Mileage 177,261 miles MOT test number 3527 8328 4877

Test location

Expiry date

**19 November 2020** 

▶ View test location

Monitor and repair if necessary (advisories):

- Offside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))
- What are advisories?

**FAIL** 

Mileage 177,261 miles MOT test number **1675 8204 3303** 

Test location

View test location

Repair immediately (major defects):

- Nearside Rear Anti-roll bar linkage ball joint excessively worn (5.3.4 (a) (i))
- Offside Rear Anti-roll bar linkage ball joint excessively worn (5.3.4 (a) (i))

Monitor and repair if necessary (advisories):

- Offside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))
- 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. <u>Find out more (https://www.gov.uk/government/news/mot-changes-20-may-2018)</u>.

Date tested 17 May 2018

**PASS** 

Mileage

145,447 miles

Test location

View test location

MOT test number

4622 4751 9073

Expiry date 19 May 2019

Date tested 10 May 2017

**PASS** 

Mileage

109,321 miles

Test location

► View test location

MOT test number

2934 5797 1249

MOT test number

7926 5789 4236

Expiry date

19 May 2018

Date tested 10 May 2017



Mileage 109,320 miles

Test location

View test location

Reason(s) for failure

116

- Offside Side repeater has less than 50% of the light sources illuminating (1.4.A.2c)
- Nearside Headlamp aim beam image obviously incorrect (1.8.A.1b)
- ▶ What are failures?

Date tested 5 May 2016

**PASS** 

Mileage

74,655 miles

MOT test number **7739 3588 8604** 

Test location

View test location

Expiry date 19 May 2017

Advisory notice item(s)

- undertrays fitted
- ▶ What are advisories?

Date tested 4 May 2016

**FAIL** 

Mileage

74,654 miles

MOT test number **9169 2022 5644** 

Test location

View test location

#### Reason(s) for failure

- Nearside Front Tyre tread depth below requirements of 1.6mm inner edge (4.1.E.1)
- Offside Front Tyre tread depth below requirements of 1.6mm inner edge (4.1.E.1)
- Nearside Rear Shock absorber has a serious fluid leak (2.7.3)

#### Advisory notice item(s)

- Nearside Rear Tyre worn close to the legal limit inner edge (4.1.E.1)
- Offside Rear Tyre worn close to the legal limit inner edge (4.1.E.1)
- · undertrays fitted
- What are failures and advisories?

Date tested 20 May 2015

**PASS** 

Mileage 40,575 miles

40,070 1111100

Test location

► View test to cation

MOT test number

4183 4014 5174

Expiry date 19 May 2016

Advisory notice item(s)

- Offside Rear Tyre worn close to the legal limit (4.1.E.1)
- ► What are advisories?

Date tested **20 May 2015** 



Mileage 40,575 miles

MOT test number **6078 5084 5171** 

Test location

View test location

Reason(s) for failure

• Nearside Headlamp aim too high (1.8)

Advisory notice item(s)

- Offside Rear Tyre worn close to the legal limit (4.1.E.1)
- ▶ What are failures and advisories?

#### Check for vehicle recalls

See if SKODA SUPERB SA14CAB has outstanding recalls



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Built by the **Driver & Vehicle Standards Agency** 

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