

E-mail: democraticservices@teignbridge.gov.uk

06 November 2024

LICENSING AND REGULATORY SUB-COMMITTEE

A meeting of the **Licensing and Regulatory Sub-Committee** will be held on **Thursday, 14th November, 2024** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **2.30 pm**

PHIL SHEARS
Managing Director

Membership:

Councillors Gearon, Peart and Rollason (Vice-Chair)

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

A G E N D A

Part I

1. **Apologies**
2. **Declarations of Interest (if any)**
3. **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

4. **Request for a small plate for a private hire vehicle - S16 EXC** (Pages 3 - 12)
5. **Request for a small plate for a private hire vehicle - YG70 MDZ** (Pages 13 - 20)
6. **Request for a small plate for a private hire vehicle - CB02 ALE** (Pages 21 - 32)
7. **Request for Hackney Carriage Vehicle Extension for further 12 months - DY63 VKL** (Pages 33 - 52)

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

TEIGNBRIDGE DISTRICT COUNCIL
LICENSING AND REGULATORY SUB COMMITTEE

14 NOVEMBER 2024

PART I

Report Title	Request for a small plate for a private hire vehicle
Purpose	To consider approval for a small plate for Red Mitsubishi Outlander S16 EXC
Applicant	Mr Kevin Lynn
Options	The Committee may: a. Grant the request to be used for executive hire. b. Refuse the request.
Report Author	Andrea Furness, Licensing Manager licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for small plate B: Sample plate C: Vehicle photographs

1. RELEVANT POLICY AND LAW

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

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

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

'9.4 Licence Plates

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

A vehicle identification badge shall be fixed to the front windscreen in a position that meets current MOT regulations. The badge will display the plate number, vehicle model, registration and number of passengers on the front face with the Council's details and plate number on the rear.'

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

2. APPLICATION DETAILS

- 2.1 The applicant has requested replacement of the traditional size plate with the smaller plate (Appendix B).

3. MAIN IMPLICATIONS

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

4. FINANCIAL IMPLICATIONS

None.

HUMMER4U

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

TEL:

For The Committee

03/11/2024

We would like to ask the committee to consider a small private hire plate for our Mitsubishi Outlander registration S16 EXC.

This vehicle will be for private hire use only.

YOURS FAITHFULLY

KEVIN LYNN (DIRECTOR)

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Teignbridge
DISTRICT COUNCIL
South Devon

PRIVATE HIRE

VEHICLE DESCRIPTION:

REGISTRATION NO:

EXPIRY DATE:

LICENSED TO CARRY:

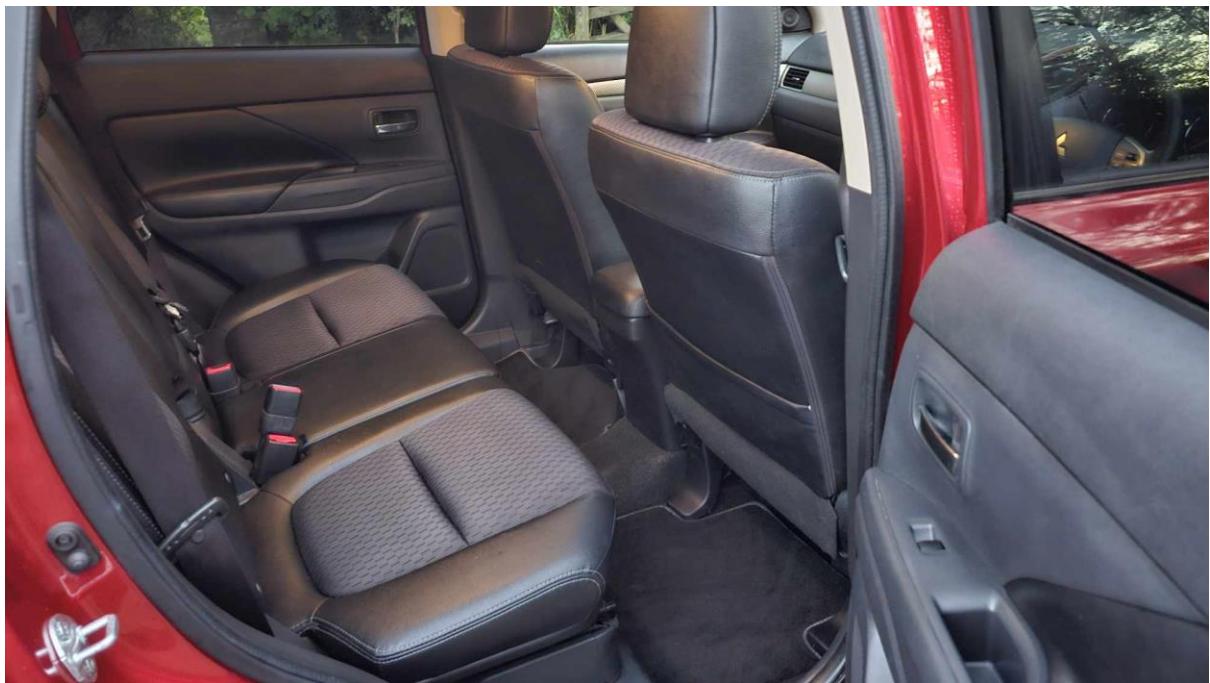
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TEIGNBRIDGE DISTRICT COUNCIL
LICENSING AND REGULATORY SUB COMMITTEE

14 NOVEMBER 2024

PART I

Report Title	Request for a small plate for a private hire vehicle
Purpose	To consider approval for a small plate for Black BMW 740LD YG70 MDZ moving to private plate EXZ 740
Applicant	
Options	The Committee may: a. Grant the request to be used for executive hire. b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for small plate B: Sample plate C: Vehicle photographs

1. RELEVANT POLICY AND LAW

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

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

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

9.4 Licence Plates

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

A vehicle identification badge shall be fixed to the front windscreen in a position that meets current MOT regulations. The badge will display the plate number, vehicle model, registration and number of passengers on the front face with the Council's details and plate number on the rear.'

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

2. APPLICATION DETAILS

- 2.1 The applicant has requested replacement of the traditional size plate with the smaller plate (Appendix B).

3. MAIN IMPLICATIONS

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

4. FINANCIAL IMPLICATIONS

None.

HUMMER4U

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

TEL:

For The Committee

03/11/2024

We would like to ask the committee to consider a small private hire plate this BMW 740LD XDRIVE M SPORT MHEV registration YG70 MDZ.

This vehicle will be for private hire use only and weddings.

YOURS FAITHFULLY

KEVIN LYNN (DIRECTOR)

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PRIVATE HIRE

VEHICLE DESCRIPTION:

REGISTRATION NO:

EXPIRY DATE:

LICENSED TO CARRY:

Printed: 21 FEB 2020 M4 SILVER

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TEIGNBRIDGE DISTRICT COUNCIL
LICENSING AND REGULATORY SUB COMMITTEE

14 NOVEMBER 2024

PART I

Report Title	Request for a small plate for a private hire vehicle
Purpose	To consider approval for a small plate for Volkswagen Touareg Hybrid CB02 ALE
Applicant	Mr Lee Ellison
Options	The Committee may: a. Grant the request to be used for executive hire. b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for small plate B: Sample plate C: Vehicle photographs

1. RELEVANT POLICY AND LAW

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

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

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

'9.4 Licence Plates

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

A vehicle identification badge shall be fixed to the front windscreen in a position that meets current MOT regulations. The badge will display the plate number, vehicle model, registration and number of passengers on the front face with the Council's details and plate number on the rear.'

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

2. APPLICATION DETAILS

- 2.1 The applicant has requested replacement of the traditional size plate with the smaller plate (Appendix B).

3. MAIN IMPLICATIONS

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

4. FINANCIAL IMPLICATIONS

None.



Alansway Taxis

King Charles Business Park, Old Newton Road, Heathfield, Newton Abbot, Devon, TQ12 6UT.

Telephone:

Facsimile:

Licensing Team and Appeals Committee,

I am writing to you in regards to an application for a small private hire plate/sticker for a VW Touareg Hybrid we have recently purchased.

The vehicle is 1 years old (registered 20/10/2023) and would be used for events such as weddings, funerals, business meetings and rarely, school contracts.

The small plate would give this car a more executive feel and would alleviate any problems or damage if we were to fix a full plate to the vehicle.

I would appreciate it if you could take this into consideration.

Many thanks,

Lee Ellison.

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PRIVATE HIRE

VEHICLE DESCRIPTION:

REGISTRATION NO:

EXPIRY DATE:

LICENSED TO CARRY:

Printed: 21 FEB 2020 M4 SILVER

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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

14 November 2024

PART I

Report Title	Request for Hackney Carriage Vehicle Extension for further 12 months DY63 VKL Black Volkswagen Passat
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 Mihail Gheorghe
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for extension B: MOT history C: Photographs

1. APPLICATION DETAILS

1.1 Vehicle first registered – 30 September 2013

Age of vehicle, if granted - 11 years and 2 months

Hackney Carriage licence expires – 27 November 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 14 November 2025 with 4 advisories – see Appendix B.

1.3 Vehicle inspection booked at the Depot on 13 November – 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.

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Regulatory and Appeals Committee

Dear Chairman and Councillors

I would like to appeal for an extension to my vehicle DY63 VKL a black Volkswagen Passat, first registered 30th September 2013.

The licence is due to expire 27th November 2024 and will be 11 years and 2 months old. The vehicle is in excellent internal and external condition. The car drives beautifully and is a very smooth ride and I keep it very well maintained and it always smells clean and fresh. I have it regularly serviced and always have the best oil and filters when the service is done.

I am not in the financial position to replace this vehicle with one that is under 5 years old due to the increasing cost of rent etc.

I keep this car at a very high standard and it is mechanically in excellent working order. The car drives beautifully and is a very smooth ride and I keep it very well maintained and it always smells clean and fresh. I have it regularly serviced and always have the best oil and filters when the service is done.

Please consider my application for an extension.

Yours faithfully

Mihail Gheorghe

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Check MOT history

This is a new service – [Complete a quick survey](https://www.smartsurvey.co.uk/s/GIZZX?vrm=DY63VKL&make_result=VOLKSWAGEN&model_result=PASSAT&mot_first_used_date=2013-09-30&vehicle_age=4053&mot_expiry_date=2025-11-14&mot_expiry_date_days_left=375&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) (https://www.smartsurvey.co.uk/s/GIZZX?vrm=DY63VKL&make_result=VOLKSWAGEN&model_result=PASSAT&mot_first_used_date=2013-09-30&vehicle_age=4053&mot_expiry_date=2025-11-14&mot_expiry_date_days_left=375&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

[Back](#)

DY63 VKL

VOLKSWAGEN PASSAT

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

Colour

Black

Fuel type

Diesel

Date registered

30 September 2013

MOT valid until

14 November 2025

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

[Download test certificates](#) (/enter-document-reference?registration=DY63VKL)

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

 [Show all sections](#)

MOT history

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

 [Hide](#)

Date tested
29 October 2024

Mileage
294,791 miles

MOT test number
7164 8878 7345

PASS

Test location
► [View test location](#)

Expiry date
14 November 2025

Monitor and repair if necessary (advisories):

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

- Offside Front Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))
- Oil leak, but not excessive (8.4.1 (a) (i))
- Front Brake disc worn, but not excessively (1.1.14 (a) (i))

► [What are advisories?](#)

Date tested
29 October 2024

Mileage
294,791 miles

MOT test number
8572 0136 5289

FAIL

Test location

► [View test location](#)

Repair immediately (major defects):

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

Monitor and repair if necessary (advisories):

- **Nearside Front Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Offside Front Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Oil leak, but not excessive (8.4.1 (a) (i))**
- **Front Brake disc worn, but not excessively (1.1.14 (a) (i))**

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

Date tested
21 October 2023

PASS

Mileage
260,179 miles

Test location

► [View test location](#)

MOT test number
7060 5030 2719

Expiry date
14 November 2024

Monitor and repair if necessary (advisories):

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

► [What are advisories?](#)

Date tested
31 October 2022

PASS

Mileage
226,877 miles

Test location

MOT test number
5773 8075 1670

Expiry date
14 November 2023

► [View test location](#)

Monitor and repair if necessary (advisories):

- **Nearside Front Lower Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Offside Front Lower Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (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
31 October 2022

Mileage
226,877 miles

MOT test number
5861 5913 0284

FAIL

Test location

► [View test location](#)

Repair immediately (major defects):

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

Monitor and repair if necessary (advisories):

- **Nearside Front Lower Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Offside Front Lower Suspension arm pin or bush worn but not resulting in excessive movement (5.3.4 (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 defects and advisories?](#)

Date tested
4 November 2021

Mileage
197,548 miles

MOT test number
4457 8885 9631

PASS

Test location

Expiry date
14 November 2022

► [View test location](#)

Monitor and repair if necessary (advisories):

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

► [What are advisories?](#)

Date tested
10 November 2020

Mileage
164,664 miles

MOT test number
5811 3623 4508

PASS

Test location

► [View test location](#)

Expiry date
14 November 2021

Monitor and repair if necessary (advisories):

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

► [What are advisories?](#)

Date tested
5 November 2019

Mileage
134,697 miles

MOT test number
8513 8625 0145

PASS

Test location

► [View test location](#)

Expiry date
14 November 2020

Monitor and repair if necessary (advisories):

- **Nearside Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Front Brake disc worn, but not excessively (1.1.14 (a) (i))**

► [What are advisories?](#)

Date tested
4 November 2019

Mileage
134,677 miles

MOT test number
2592 2221 6159

FAIL

Test location

► [View test location](#)

Do not drive until repaired (dangerous defects):

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

Monitor and repair if necessary (advisories):

- **Offside Rear Tyre worn close to legal limit/worn on edge 1.6mm (5.2.3 (e))**
- **Nearside Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Front Brake disc worn, but not excessively (1.1.14 (a) (i))**

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

Date tested
15 November 2018

Mileage
90,357 miles

MOT test number
1241 1821 1065

PASS

Test location

Expiry date
14 November 2019

► [View test location](#)

Monitor and repair if necessary (advisories):

- **Under trays fitted**

► [What are advisories?](#)

Date tested
12 July 2018

Mileage
80,390 miles

MOT test number
9289 9099 8627

PASS

Test location

Expiry date
25 July 2019

► [View test location](#)

Date tested
12 July 2018

Mileage
80,389 miles

MOT test number
2920 9723 2909

FAIL

Test location

► [View test location](#)

Repair immediately (major defects):

- **Nearside Rear Shock absorbers has a serious fluid leak (5.3.2 (b))**
- **Offside Rear Shock absorbers has a serious fluid leak (5.3.2 (b))**

► [What are defects?](#)

The MOT test changed on 20 May 2018

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

Date tested
6 July 2017

Mileage
51,928 miles

MOT test number
1890 2472 6856

PASS

Test location

Expiry date
25 July 2018

► [View test location](#)

Advisory notice item(s)

- **Offside Front Outer Brake pad(s) wearing thin (3.5.1g)**
- **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)**
- **both rear 43 tyres beginning to wear on inner edges**

► [What are advisories?](#)

Date tested
26 July 2016

Mileage
31,633 miles

MOT test number
3085 2684 2589

PASS

Test location

► [View test location](#)

Expiry date
25 July 2017

Advisory notice item(s)

- **osf fog lamp / day time running lamp out**

► [What are advisories?](#)

Check for vehicle recalls

See if VOLKSWAGEN PASSAT DY63VKL has outstanding recalls

>Show

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

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

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