

Minutes of the meeting of the LICENSING AND  
APPEALS HEARINGS PANEL held at 2.05 pm  
on Friday, 1st September, 2017 at Main  
Committee Room, Civic Centre, Stone Cross,  
Northallerton

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Present

Councillor M A Barningham (in the Chair)

Councillor P Bardon

Councillor K G Hardisty

LAHP.12 **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE  
CARLTON CARS (N YORKS) LTD - PH77**

All Wards

The Panel was informed by the applicant at the beginning of the hearing that he did not think he needed to be in attendance and withdrew from the hearing.

The Panel concluded that the hearing could proceed in the applicant's absence as the applicant had chosen not to be present and a delay would not be in the public interest.

**The subject of the decision:**

The Director of Law and Governance asked the Panel to consider whether to grant or refuse an application for the renewal of a private hire vehicle licence.

**Alternative options considered:**

The Panel considered granting the application but concluded that the applicant had not demonstrated that the specific circumstances of the case were sufficient to justify departing from the Council's Hackney Carriage and Private Hire Licensing Policy.

**The reason for the decision:**

The Panel considered the officer's report, copies of five contracts provided by the applicant, the Council's Hackney Carriage and Private Hire Licensing Policy and the relevant legislation.

The Panel noted that the Council's policy generally opposes the grant of a licence in respect of vehicles over the age of ten years. The Panel noted that the vehicle in question was first registered 15 years ago. The Panel noted that the vehicle in question meets the mechanical standards set out by the policy.

The Panel considered five contracts awarded to the applicant by North Yorkshire County Council for the provision of transportation of children to and from school within the district of Hambleton. The Panel noted that the contracts were awarded prior to the implementation of the general age limit prescribed in the Council's policy. The Panel was satisfied that the applicant had been aware of the revised policy provisions for at least 18 months and therefore has had sufficient notice of the policy requirements.

The Panel was satisfied that private hire vehicles licensed by the Council were frequently used to undertake school contract work and that the contracts awarded by North Yorkshire County Council to the applicant did not amount to exceptional circumstances to justify a departure from the policy.

The Panel noted that the vehicle was not available for inspection but it considered documentation provided within the officer's report including the recent mechanical inspection and MOT history. The Panel was concerned by some of the information contained within the MOT history. Several defects appeared to have been the subject of advisory notice items for a significant period of time and therefore the Panel concluded that the vehicle is not maintained to a high standard all year round.

The Panel noted that the age limit was adopted in order to promote public safety, reliability and improved high standards of hackney carriage and private hire services in the district. The Panel was not satisfied that the application could be granted without having a detrimental impact on the policy objectives.

**THE DECISION:**

Taking account of the above and having given appropriate weight to the evidence, the Panel decided to refuse the application on the grounds of any reasonable cause in accordance with Section 60 of Local Government (Miscellaneous Provisions) Act 1976.

The meeting closed at 2.25 pm

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Chairman of the Panel