

Minutes of the meeting of the LICENSING AND  
APPEALS HEARINGS PANEL held at 11.00 am on  
Wednesday, 26th September, 2018 at Main Committee  
Room, Civic Centre, Stone Cross, Northallerton

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Present

Councillor M A Barningham (in the Chair)

Councillor K G Hardisty

Councillor R Kirk

**LAHP.12 APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE VEHICLE  
LICENCE - MR JAMES ARMSTRONG, HC87**

**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 hackney carriage vehicle licence.

**Alternative options considered:**

The Panel considered refusing the application but concluded 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 Director's report, the applicant's oral and written submissions, the Council's Hackney Carriage and Private Hire Licensing Policy and the relevant legislation.

The Panel noted that the vehicle in question satisfied the mechanical standards set out in the Council's policy. However, the vehicle reached the general ten year age limit (as prescribed by the policy) in August 2014. 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 applicant informed the Panel that his vehicle was a luxury brand, was very well maintained and that the vehicle's recorded mileage was relatively low compared with some younger vehicles. The applicant invited the Panel to consider the exceptional circumstances of his case on the basis of the vehicle's quality, appearance and condition.

The Panel considered the vehicle's MOT history and full service history. The Panel acknowledged that, since the applicant took ownership of the vehicle, there had only been one occasion where advisory notice items had occurred following an MOT test. The Panel noted those matters were dealt with promptly and that the vehicle underwent regular services. The Panel was therefore satisfied that the mechanical condition of the vehicle was maintained to a high standard.

The Panel inspected the vehicle and was impressed by its exceptional internal and external appearance. The Panel was also satisfied that the level of comfort provided to passengers would surpass the expectations of the public.

In conclusion, the Panel was satisfied that the mechanical condition of the vehicle, the quality of the vehicle and its exceptional appearance, along with the comparatively low mileage, would adequately promote the Council's policy objectives in relation to standards, reliability and safety of licensed vehicles.

**THE DECISION:**

Taking account of the above and having given appropriate weight to the evidence, the Panel was satisfied that the application could be granted without having a detrimental impact on the policy objectives. Therefore, the Panel decided to grant the application.

The meeting closed at 11.30 am

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Chairman of the Panel