

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Licensing and Appeals Hearings Panel  
30 October 2017

**From:** Director of Law and Governance (Monitoring Officer)

**Subject:** **APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE VEHICLE LICENCE  
CARLTON CARS (N YORKS) LTD – PH79**

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### **1.0 SUMMARY**

1.1 Members are asked to consider whether or not to grant an application for the renewal of a private hire vehicle licence.

### **2.0 PROCEDURE**

2.1 The procedure for licensing hearings is attached as an Annex to the Agenda.

### **3.0 BACKGROUND**

3.1 Since 10<sup>th</sup> November 2015, Carlton Cars (N Yorks) Ltd have held a private hire vehicle licence (plate number PH79) in respect of a Volkswagen Passat, vehicle registration mark FA03 HWU. The licence is due to expire on 31<sup>st</sup> October 2017.

3.2 On 5<sup>th</sup> October 2017, Carlton Cars (N Yorks) Ltd applied to renew the private hire vehicle licence pertaining to the vehicle. A copy of the application form is attached at **Annex A**.

3.3 All applicants are required to produce a current MOT Certificate and proof that the licensing authority's testing arrangements have been satisfied (i.e. a test paper completed and signed by a Hambleton-based VOSA-accredited testing station). At the time of writing, no such documents have been produced in respect of PH79 but the applicant has indicated that they will be submitted in due course.

3.4 The MOT history of the vehicle has been taken from the GOV.UK website and is attached at **Annex B**.

3.5 The most recent MOT certificate shows that, on 26<sup>th</sup> October 2016, the recorded mileage was 168,902 miles.

3.6 According to the registration document, attached at **Annex C**, the vehicle in question was first registered on 10<sup>th</sup> July 2003.

### **4.0 POLICY CONSIDERATIONS**

4.1 In carrying out its licensing functions, the Panel should have regard to the council's Hackney Carriage and Private Hire Licensing Policy.

4.2 In accordance with paragraph 3.2.1 of the policy, the council will generally only grant a licence in respect of a private hire vehicle if it is less than 10 years old at the time of the application. For these purposes, the age of the vehicle shall be taken from the date of first registration. The vehicle in question surpassed this general age limit in July 2013.

- 4.3 The Licensing Committee approved the adoption of an age policy on 11<sup>th</sup> February 2016 having satisfied itself that it was appropriate to promote public safety, reliability and improved high standards of hackney carriage and private hire services in the district.
- 4.4 The council's policy can (and is generally likely to) affect the outcome of the decision in most cases and this is entirely lawful. The policy is a means of securing a consistent approach to individual cases.
- 4.5 Each case must be considered in the light of the policy but not so that the policy automatically determines the outcome<sup>1</sup>.
- 4.6 According to the minutes of the meeting on 11<sup>th</sup> February 2016, the Licensing Committee acknowledged that the policy allowed exceptions to the general rule by placing a requirement on the licensing authority to consider each application on its individual merits and to depart from the general policy where the specific circumstances of a case justify making an exception.
- 4.7 The onus is on the applicant to demonstrate that any such exception should be made<sup>2</sup>.

## **5.0 DETERMINATION BY THE PANEL**

- 5.1 Members are advised to take one of the following steps:
- 5.1.1 The Panel may conclude that the specific circumstances of the applicant's individual case justify making an exception from the general policy, in which case, the Panel may grant the application; or
- 5.1.2 The Panel may refuse to renew the licence on the grounds of any reasonable cause.

**Background papers:** Hackney Carriage and Private Hire Licensing Policy  
Procedure for Licensing Hearings

**Author ref:** SF

**Contact:** Simon Fisher  
Principal Licensing Officer  
Direct Line No: (01609) 767209

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<sup>1</sup> R v Hampshire County Council, ex p W [1994] ELR 460

<sup>2</sup> R v Crown Court at Sheffield, ex p Consterdine (1998) [2002] L.L.R. 712

**HAMBLETON****DISTRICT COUNCIL**

## Application to Renew a Private Hire Vehicle Licence

Local Government (Miscellaneous Provisions) Act 1976

### SECTION 1 - LICENCE DETAILS

<b>1</b>	Licence Number	79
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### SECTION 2 - VEHICLE DETAILS

<b>2</b>	Registration number	FA03 HWU
<b>3</b>	Make and Model	Volkswagen Passat
<b>4</b>	Colour	Silver
<b>5</b>	Engine number	AVF333550
<b>6</b>	Chassis number	WVW2223B23P439844
<b>7</b>	Date of first registration	10/07/2003

Please note that vehicles over the age of 10 years will not generally be licensed. Any applications in respect of such vehicles should be accompanied by some supporting documentation to demonstrate that the specific circumstances of the case would warrant a departure from the Council's policy.

<b>8</b>	Number of passengers (excluding driver seat)	4
<b>9</b>	Are the seating arrangements kept in accordance with the manufacturer's original specification?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If not, it may be subject to testing under the Individual Vehicle Approval (IVA) scheme.

<b>10</b>	Is this vehicle wheelchair accessible (i.e. adapted or designed to carry at least one wheelchair user whilst in their wheelchair)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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### SECTION 3 - PROPRIETOR DETAILS

<b>11</b>	Proprietor Status	<input type="checkbox"/> Single individual (Please complete Part A) <input type="checkbox"/> Multiple individuals (Please complete Parts A and B) <input checked="" type="checkbox"/> Company (Please complete Part C)
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#### PART A - FIRST INDIVIDUAL PROPRIETOR

<b>12</b>	Name	
<b>13</b>	Address	
<b>14</b>	Date of birth	
<b>15</b>	Telephone Number	
<b>16</b>	Email Address	
<b>17</b>	Are you the sole proprietor of the vehicle?	<input type="checkbox"/> Yes <input type="checkbox"/> No

If no, the second proprietor must complete Part B overleaf. If there are more than two proprietors, please use a separate sheet.

<b>18</b>	Have you been convicted or cautioned for any motoring or criminal offence since your last application? If yes, please provide details below. Use a separate sheet if necessary.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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	Date	Offence	Court	Sentence
i				
ii				
iii				

**PART B - SECOND INDIVIDUAL PROPRIETOR**

<b>19</b>	Name	
<b>20</b>	Address	
<b>21</b>	Date of birth	
<b>22</b>	Telephone/email	

<b>23</b>	Have you been convicted or cautioned for any motoring or criminal offence since your last application? If yes, please provide details below. Use a separate sheet if necessary.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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	Date	Offence	Court	Sentence
i				
ii				
iii				

**PART C - COMPANY PROPRIETOR**

<b>24</b>	Registered Name	Carlton Cars (N. Yorks) LTD
<b>25</b>	Registered Address	Longlands, Goldgate Lane, Swainby
<b>26</b>	Company Reg Number	5761356
<b>27</b>	Contact Name	Tim Wightson
<b>28</b>	Telephone/email	01642 706313 tim@carltoncarsnyld.co.uk

<b>29</b>	Are you the sole proprietor of the vehicle?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No*
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If no, any other proprietor(s) must complete Part A and/or Part B and/or a separate sheet (in the case of multiple company proprietors).

<b>30</b>	Has the company secretary, any director or any other officer of the company been convicted or cautioned for any motoring or criminal offence since your last application? If yes, please provide details below. Use a separate sheet if necessary.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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	Date	Offence	Court	Sentence
i				
ii				
iii				

## SECTION 4 – DECLARATION AND SIGNATURE

To be completed by all persons named on the application form. In the case of a company proprietor, the form should be signed by an authorised officer of the company.

31 It is a criminal offence to make a false statutory declaration in connection with an application.

I hereby declare that the above information is true to the best of my knowledge.

32	Signature	
33	Name (please print)	TIM WRIGHTSON
34	Date of signature	5/10/17
35	Signature	
36	Name (please print)	
37	Date of signature	

Please call the Licensing Section on 01609 767079/767017 to arrange an appointment if you wish to return this form in person.

This authority is under a duty to protect the public funds it administers, and to this end, may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing and administering public funds for these purposes.



Check MOT history (<https://www.gov.uk/check-mot-history>)

**This vehicle's MOT expires soon**

Vehicle

# VOLKSWAGEN PASSAT

MOT valid until

**28 October 2017**

Registration

**FA03HWU**

Fuel type

**Diesel**

Colour

**Silver**

Date registered

**10 July 2003**

## MOT history

Date tested

**26 October 2016**

**PASS**

Mileage

**168,902 miles**

MOT test number

**4882 7960 5704**

Test location

**SWALES GARAGE LTD  
CLACK LANE GARAGE  
OSMOTHERLEY  
NORTHALLERTON  
DL6 3PN**

Expiry date

**28 October 2017**

Advisory notice item(s)

- **brake disc worn, pitted or scored, but not seriously weakened all four (3.5.1i)**
- **Nearside Rear Brake hose has slight corrosion to ferrules (3.6.B.4e)**
- **Offside Rear Brake hose has slight corrosion to ferrules (3.6.B.4e)**
- **Nearside Headlamp deteriorated but light output not reduced (1.7.5a)**

Date tested

**21 October 2016**

**FAIL**

Mileage

**168,449 miles**

MOT test number

**3166 7351 8967**

Test location

**SWALES GARAGE LTD  
CLACK LANE GARAGE**

**OSMOTHERLEY  
NORTHALLERTON  
DL6 3PN**

## Reason(s) for failure

- **Nearside Front Brake hose excessively deteriorated (3.6.B.4d)**
- **Offside Front Brake hose excessively deteriorated (3.6.B.4d)**

## Advisory notice item(s)

- **brake disc worn, pitted or scored, but not seriously weakened all four (3.5.1i)**
- **Nearside Rear Brake hose has slight corrosion to ferrules (3.6.B.4e)**
- **Offside Rear Brake hose has slight corrosion to ferrules (3.6.B.4e)**
- **Nearside Headlamp deteriorated but light output not reduced (1.7.5a)**

Date tested  
**29 October 2015**

**PASS**

Mileage  
**141,293 miles**

MOT test number  
**9113 8110 9320**

Test location  
**NORTHALLERTON  
SERVICE CENTRE  
BINKS CLOSE  
STANDARD WAY  
INDUSTRIAL ESTATE  
NORTHALLERTON  
DL6 2YB**

Expiry date  
**28 October 2016**

## Advisory notice item(s)

- **Offside Front Upper Suspension arm rubber bush deteriorated but not resulting in excessive movement rear arm inner bush (2.4.G.2)**

Date tested  
**30 March 2015**

**PASS**

Mileage  
**Unreadable**

MOT test number  
**4591 7978 5081**

Test location  
**KWIK FIT  
258 LONGLANDS ROAD  
MIDDLESBROUGH  
TS4 2LW**

Expiry date  
**29 March 2016**

Date tested  
**29 March 2015**

Mileage  
**136,335 miles**

MOT test number  
**8475 6818 5031**

**FAIL**

Test location  
**KWIK FIT**  
**258 LONGLANDS ROAD**  
**MIDDLESBROUGH**  
**TS4 2LW**

Reason(s) for failure

- **Rear Registration plate lamp insecure (1.1.C.1c)**
- **Offside Registration plate lamp not working (1.1.C.1d)**

Date tested  
**25 March 2013**

**PASS**

Mileage  
**109,739 miles**

MOT test number  
**6874 9458 3088**

Test location  
**EVANS HALSHAW**  
**(NISSAN)**  
**A66 NISSAN**  
**CARGO FLEET LANE**  
**MIDDLESBROUGH**  
**TS3 6AS**

Expiry date  
**5 April 2014**

Advisory notice item(s)

- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Rear Tyre worn close to the legal limit (4.1.E.1)**
- **Nearside Rear Shock absorber has a light misting of oil (2.7.3)**
- **Offside Rear Shock absorber has a light misting of oil (2.7.3)**

Date tested  
**25 March 2013**

**FAIL**

Mileage  
**109,739 miles**

MOT test number  
**9993 5428 3026**

Test location  
**EVANS HALSHAW**  
**(NISSAN)**  
**A66 NISSAN**  
**CARGO FLEET LANE**  
**MIDDLESBROUGH**  
**TS3 6AS**

Reason(s) for failure

- **Nearside Registration plate lamp not working (1.1.C.1d)**

Advisory notice item(s)



- **Nearside Front Tyre worn close to the legal limit (4.1.E.1)**
- **Offside Rear Tyre worn close to the legal limit (4.1.E.1)**
- **Nearside Rear Shock absorber has a light misting of oil (2.7.3)**
- **Offside Rear Shock absorber has a light misting of oil (2.7.3)**

Date tested  
**31 March 2012**

**PASS**

Mileage  
**94,294 miles**

Test location  
**EVANS HALSHAW  
(NISSAN)  
A66 NISSAN  
CARGO FLEET LANE  
MIDDLESBROUGH  
TS3 6AS**

MOT test number  
**3897 6139 2044**

Expiry date  
**5 April 2013**

Date tested  
**6 April 2011**

**PASS**

Mileage  
**78,878 miles**

Test location  
**EVANS HALSHAW  
(NISSAN)  
A66 NISSAN  
CARGO FLEET LANE  
MIDDLESBROUGH  
TS3 6AS**

MOT test number  
**6385 5669 1034**

Expiry date  
**5 April 2012**

Advisory notice item(s)

- **Windscreen has damage to an area less than a 40mm circle outside zone 'A' (8.3.1d)**

Date tested  
**5 April 2011**

**FAIL**

Mileage  
**78,878 miles**

Test location  
**EVANS HALSHAW  
(NISSAN)  
A66 NISSAN  
CARGO FLEET LANE  
MIDDLESBROUGH  
TS3 6AS**

MOT test number  
**2197 1539 1028**

Reason(s) for failure

- **Offside Headlamp excessively damaged so that the light output is severely reduced (1.7.5a)**

Date tested  
**24 June 2010**  
**PASS**

Mileage  
**69,912 miles**

MOT test number  
**8248 9517 0183**

Test location  
**AMR AUTOS  
 GREENHOW HILL FARM  
 GREAT AYTON  
 MIDDLESBROUGH  
 TS9 6QF**

Expiry date  
**10 July 2011**

Advisory notice item(s)

- **Windscreen has damage to an area less than a 40mm circle outside zone 'A' (8.3.1d)**
- **Rear Direction indicators slightly discoloured (1.4.A.2f)**
- **Centre Exhaust has part of the system slightly deteriorated (7.1.1a)**

Date tested  
**1 July 2009**  
**PASS**

Mileage  
**58,142 miles**

MOT test number  
**7508 3278 9155**

Test location  
**AMR AUTOS  
 GREENHOW HILL FARM  
 GREAT AYTON  
 MIDDLESBROUGH  
 TS9 6QF**

Expiry date  
**10 July 2010**

Advisory notice item(s)

- **Nearside Front Windscreen has damage to an area less than a 40mm circle outside zone 'A' (8.3.1d)**
- **Brake pad(s) wearing thin (3.5.1g)**
- **Front constant velocity joint gaiter deteriorated (2.5.C.1a)**

Date tested  
**1 July 2009**  
**FAIL**

Mileage  
**58,142 miles**

MOT test number  
**4322 1218 9189**

Test location  
**AMR AUTOS  
 GREENHOW HILL FARM  
 GREAT AYTON  
 MIDDLESBROUGH  
 TS9 6QF**

Reason(s) for failure

- **Nearside Front Headlamp aim too low (1.8)**

- **Rear registration plate deteriorated (6.3.1d)**

Advisory notice item(s)

- **Nearside Front Windscreen has damage to an area less than a 40mm circle outside zone 'A' (8.3.1d)**
- **Brake pad(s) wearing thin (3.5.1g)**
- **Front constant velocity joint gaiter deteriorated (2.5.C.1a)**

Date tested  
**20 June 2008**

**PASS**

Mileage  
**47,895 miles**

Test location  
**VTS\_1ALK15  
STATION ROAD  
STOKESLEY  
MIDDLESBROUGH  
TS9 7AB**

MOT test number  
**3948 7257 8115**

Expiry date  
**10 July 2009**

Date tested  
**26 June 2007**

**PASS**

Mileage  
**39,926 miles**

Test location  
**VTS\_1ALK15  
STATION ROAD  
STOKESLEY  
MIDDLESBROUGH  
TS9 7AB**

MOT test number  
**2810 3707 7197**

Expiry date  
**10 July 2008**

Advisory notice item(s)

- **Nearside Front Lower Windscreen has damage to an area less than a 40mm circle outside zone 'A' (8.3.1d)**

Date tested  
**5 July 2006**

**PASS**

Mileage  
**29,017 miles**

Test location  
**VTS\_1ALK15  
STATION ROAD  
STOKESLEY  
MIDDLESBROUGH  
TS9 7AB**

MOT test number  
**2130 1628 6472**

Expiry date  
**10 July 2007**

Advisory notice item(s)

- **inner and outer edges worn on n/s/r tyre**



4. Vehicle details

A Registration number **FA03 HWU** 2 [A.1] Validation character **W** 3

B Date of first registration 10 07 2003  
 [B.1] Date of first registration in the UK 10 07 2003

D.1 Make VOLKSWAGEN  
 D.2 Type

Variant STAVFX01  
 Version SGFM61E010S00GE

D.3 Model PASSAT SPORT TDI  
 D.5 Body type 4 DOOR SALOON  
 [X] Taxation class DIESEL CAR  
 [D.6] Suspension Type  
 [Y] Revenue weight 1474.0 KG UNLADEN  
 P.1 Cylinder capacity (cc) 1896 CC  
 V.7 CO<sub>2</sub> (g/km) 154 G/KM  
 P.3 Type of fuel HEAVY OIL

S.1 Number of seats, including driver  
 S.2 Number of standing places (where appropriate)

[D.4] Wheelplan 2-AXLE-RIGID BODY  
 J Vehicle category M1  
 K Type approval number e1\*98/14\*0157\*09 \*

P.2 Max. net power (kW)  
 E VIN/Chassis/Frame No. WVVZZZ3BZ3P439844  
 P.5 Engine number AVF 333550  
 F.1 Max. permissible mass (exc. m/c)  
 G Mass in service 1549  
 Q Power/Weight ratio (kW/kg) (only for motorcycles)  
 R Colour SILVER

O Technical permissible maximum towable mass of the trailer:  
 O.1 braked (kg)  
 O.2 unbraked (kg)

U Sound level:  
 U.1 stationary (dB(A))  
 U.2 engine speed (min-1)  
 U.3 drive-by (dB(A))

V Exhaust Emissions:  
 V.1 CO (g/km or g/kWh) 0.181  
 V.2 HC (g/km or g/kWh)  
 V.3 NOx (g/km or g/kWh) 0.313  
 V.4 HC+NOx (g/km) 0.340  
 V.5 particulates (g/km or g/kWh) 0.040

5. Registered keeper

If any details are wrong enter the correct details in section 6, sign section 8, and return to DVLA

C.4.c - This document is not proof of ownership.

C.1.1 **CARLTON CARS N YORKS LTD**  
 C.1.3 **LONGLANDS  
 GOLDGATE LANE  
 SWAINBY  
 NORTHALLERTON  
 DL6 3HS**

I ACQUIRED VEHICLE ON 28 10 2015

Please write in black ink and CAPITAL LETTERS.

6. New keeper or new name/new address details

Please see section 12

Mr 1 Mrs 2 Miss 3  Please tick  the appropriate box **W** 4

Title (for example, Ms, Rev and so on) or business name:  
 First names:  
 Surname:

For company use only DVLA/DVA Fleet number **7**  
 Date of birth (not required by law) Postcode: Please help us to help you by giving your postcode.

**8** 9

House No:  
 Address:  
 Post town:

New keeper? If so tick this box: **K** 12 Date of sale or transfer: **13**

Driving licence number of the new keeper (not required by law)  
 Present mileage (not required by law) **15**  
**R** 16 **S** 17

7. Changes to current vehicle

Only enter corrected or altered details

**H** 19

Wheelplan / Body type **20**

VIN / Chassis / Frame Number **21**

New revenue weight **22** Date of change **23** Cylinder capacity (cc) **24**

No. of seats inc. driver **25** No. of standing places **26** Type of fuel **27**

Engine number **28**

New colour **29** Date of change **30** CLR

Tax class\* **Y** **31** **32**

\*The tax class shown in section 4 can only be changed when taxing. Please apply at your nearest Post Office\*.

8 Declaration - You MUST sign, date and return this page to DVLA, Swansea, SA99 1BA when you notify any changes.

Registered keeper: I declare that the new details I have given are correct to the best of my knowledge.

New keeper: I declare that this vehicle was sold or transferred to me on the date shown in section 6 and my name and address are correctly shown.

Signature: Date:

Signature: Date:

Law: If the vehicle is sold or transferred, both the registered keeper and the new keeper must sign this Certificate.

Official use only - Please do not write below this line.

V5C-0614

Doc. Ref. N° 6109 844 4970 20 04 16  
 Des. Codes 1360670150 / 002969 22

FA03 HWU **W**



ISC **34**