

Minutes of the meeting of the Licensing and Appeals Hearings Panel held at 9.30 am on Monday, 10th February, 2020 at Main Committee Room, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor R Kirk (in the Chair)

Councillor C A Dickinson

Councillor K G Hardisty

LAHP.13 Application for the Renewal of a Private Hire Vehicle Licence - Chris and Diane Nicholson - PH19

All Wards

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, a Mercedes E Class registration mark LT59 CWR.

Alternative options considered:

The Panel considered refusing the application but concluded that the specific circumstances of the case were sufficient to justify a departure from the Council's Hackney Carriage and Private Hire Licensing Policy.

The reason for the decision:

The Panel considered the officer's report, the applicant's representations, 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 September 2019.

The Panel noted that Mercedes is recognised as a manufacturer of luxury vehicles. The applicant informed the Panel that the vehicle is well-maintained and offers a reliable, comfortable luxury car for its passengers. The applicant told the Panel that the vehicle is mainly used for school contract work and the mileage is less than 20,000 miles per annum.

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. The Panel acknowledged that all MOT tests had been passed with very few advisory notice items recorded and regular services had been carried out. The Panel was therefore satisfied that the mechanical condition of the vehicle was maintained to a high standard. The Panel also noted that the recorded mileage of the vehicle was relatively low and the vehicle had accumulated 16,000 miles since August 2018.

The Panel inspected the vehicle and was impressed by its appearance. The Panel was therefore satisfied that the quality of the vehicle would surpass the expectations of the travelling public.

Ultimately, the Panel was asked to consider whether or not to grant a licence in respect of a vehicle that exceeded the general age limit prescribed by the Council's Policy. 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.

In conclusion, the Panel was satisfied that the mechanical condition of the vehicle, the quality of the vehicle and its appearance 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 undermining the policy objectives. Therefore, the Panel decided to grant the application.

The meeting closed at 9.55 am

Chairman of the Panel