

Licensing Sub Committee

Held at Council Chamber - Ryedale House, Malton, North Yorkshire YO17 7HH
on Wednesday 24 August 2022

Present

Councillors Cleary (Chair), Goodrick and MacKenzie

In Attendance

John Wardell (Clerk), Jonathan Davey (Legal Advisor) and Mark Heaton (Senior Licensing Officer)

Minutes

1 **Emergency Evacuation Procedure**

The Chairman informed Members of the Public of the emergency evacuation procedure.

2 **Introductions**

The Chairman introduced those present at the hearing: the members of the Sub-Committee, the Applicant Mr Manolis Paterakis, the Senior Licensing Officer presenting the report, the Legal Adviser, and the Committee Clerk.

3 **Apologies for absence**

There were no apologies received

4 **Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, and any prejudicial or disclosable pecuniary interests, which they might have in the business on the agenda.

There were no declarations of interest.

5 **Exempt Information**

The Chairman referred to the Legal Officer, who outlined exclusion of the public and asked the parties if they felt there was a need to exclude the Public.

<p style="text-align: center;">Decision</p> <p style="text-align: center;">There was no application for the exclusion of the public.</p>

6 **Licensing Sub Committee Hearing Procedure**

The Chairman outlined the Licensing Sub Committee Hearing Procedure.

7 **To determine an application from Mr Manolis Paterakis to renew Hackney Carriage Vehicle Licence No. HCV 003 Registration M8 ANO**

Minutes

1. The Chairman invited the Senior Licensing Officer to present his report. There were no questions from the Sub Committee or Applicant.
2. The Chairman asked the applicant if he would like to make an opening statement. Mr Paterakis stated that the vehicle has never failed a vehicle MOT test, he looks after his vehicle and maintains it on a regular basis and maintains a full service history using genuine parts for repairs and maintenance. Cllr Mackenzie asked if during the last year had the vehicle suffered any mechanical break downs. Mr Paterakis advised no breakdowns had occurred. The Sub Committee and Senior Licensing Officer had no questions for the applicant.
3. The Sub Committee, Senior Licensing Officer, Applicant and Clerk moved outside to the car park to view the vehicle. It was noted slight canker on the alloy wheel and a small dint on a door smaller than a 5p piece. All parties returned to the Council Chamber.
4. Following viewing the vehicle there were no questions for the applicant from Members of the Sub Committee or the Senior Licensing Officer.
5. Mr Paterakis Summed up. He tried to maintain the vehicle to an exceptional level and provide a vehicle and service to a high standard.
6. Members of the Sub Committee retired to consider the application and arrive at their decision. The Legal Advisor and Clerk retired with them.
7. Members of the Sub Committee, Legal Advisor and Clerk return to the Council Chamber and the Chairman announced the decision as follows:

Decision

DECISION OF THE SUB – COMMITTEE

In coming to its decision, the sub-committee has had due regard to the promotion of the objectives of the Licensing Authority as detailed in the Taxi and Private Hire Policy as follows:

- **Safety, health and comfort of public and drivers.**
- **Prevention of crime and disorder, safeguarding of children and the vulnerable**

- Vehicle safety, comfort and access

It is the decision of the sub-committee today to grant the licence.

The sub-committee have considered the key paragraph of the policy contained at Para 1 Appendix E of the policy which states that 'The maximum age of the vehicle that may continue to be licensed shall be 10 years from the date of first registration. A licensed vehicle exceeding 10 years old at the date of the application for renewal of its licence, may be licensed at the discretion of the licensing sub committee if such vehicle is found to be an 'exceptional vehicle in exceptional condition'. Each application for special consideration will be judged solely on its merits, provided it continues to be mechanically sound and passes the vehicle licensing inspection.

The sub committee note that the vehicle passed an MOT test on the 22 July 2022 with no failure or advisory notices. The vehicle also passed the Councils vehicle inspection on the 17th August 2022 with no defects identified. There have been no failure or advisory notices with the MOT tests for the previous 10 years. The applicant takes a very pro active attitude in relation to vehicle maintenance. The history represents that of an exceptional vehicle in an exceptional condition.

The sub committee have inspected the vehicle today and make findings that the vehicle is an exceptional vehicle in exceptional condition. From inspection the vehicle is in an exceptional condition. After long examination 2 very minor blemishes were found due to a lacquer finish to an alloy wheel and an almost imperceptible dent on a door which is likely to have been caused by another vehicle door.

The Driver has a right to appeal against this decision. Any application for an appeal should be submitted in writing accompanied by the relevant fee to the Scarborough Magistrates' Court within 21 days of the date of this decision. Further details can be obtained from the Magistrates' Court.

Date: 24 August 2022

Decision notified to all relevant parties

Cllr Michael Cleary, Chairman

8 Any other business that the Chairman decides is urgent.

There was no other business.

The meeting started at 10:00 am closed at 10:45 am

