Please ask for:

Lisa Young

Direct dial:

(023) 9254 5340

Fax:

(023) 9254 5587

E-mail:

Lisa.young@gosport.gov.uk

20 October 2014

SUMMONS

MEETING: Licensing Board DATE: 28 October 2014

TIME: 6pm

PLACE: Council Chamber, Town Hall, Gosport

Democratic Services contact: Lisa Young

LINDA EDWARDS BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Gill) (ex officio) Chairman of P & O Board (Councillor Hook) (ex officio)

Councillor Allen (Chairman)
Councillor Mrs Morgan (Vice Chairman)

Councillor Ms. Ballard
Councillor Mrs Batty
Councillor Beavis
Councillor Ms. Diffey
Councillor Mrs Forder
Councillor Ms. Ballard
Councillor Geddes
Councillor Murphy
Councillor Ronayne
Councillor Scard
Councillor Mrs Searle

FIRE PRECAUTIONS

(To be read by the Chairman if members of the public are present)

In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

IMPORTANT NOTICE:

 If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off or switched to silent for the duration of the meeting.

AGENDA

RECOMMEN DED MINUTE FORMAT

PART A ITEMS

APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members present are reminded to declare, at this point in the meeting or as soon as possible thereafter, any disclosable personal interest in any item(s) being considered at this meeting.

- 3. MINUTES OF THE MEETING OF THE BOARD HELD ON 16 SEPTEMBER 2014(copy herewith)
- 4. DEPUTATIONS STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Friday,24 October 2014. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday, 24 October 2014).

6. APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE VEHICLE LICENCE UNDER EXCEPTIONAL CIRCUMSTANCES

The report advises the Licensing Board of an application to renew and extend an existing Hackney Carriage Vehicle licence for a vehicle that will be more than 8 years old at the time of the renewal and will not meet the Gosport Borough Council Hackney Carriage & Private Hire standard conditions

7. ANY OTHER ITEMS

which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

8. EXCLUSION OF THE PUBLIC

That in relation to the following items the public be excluded from the meeting, as it is likely, in view of the nature of the business to be

Licensing Board 28 October 2014

transacted or the nature of the proceedings, that if members of the public were present during these items there would be disclosure to them of exempt information within Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

PART B ITEMS FOLLOWING THE EXCLUSION OF PRESS AND PUBLIC

Item No.	Item	Paragraph no.1 of Part I of	
		Schedule 12A of the Act	
9.	Application for a Private Hire Drivers Licence	Paragraph 1 The report contains personal data which is identified as sensitive material.	PART II Contact Officer Ian Rickman Ext. 5609

AGENDA ITEM NO. 6

Board/Committee:	Licensing Board
Date of Meeting:	28 th October 2014
Title:	Application for the renewal of a Hackney Carriage
	Vehicle Licence under Exceptional Circumstances
Author:	Licensing Officer
Status: amend as	FOR DECISION
appropriate	

Purpose

The report advises the Licensing Board of an application to renew and extend an existing Hackney Carriage Vehicle licence for a vehicle that will be more than 8 years old at the time of the renewal and will not meet the Gosport Borough Council Hackney Carriage & Private Hire standard conditions

Recommendation

That the Licensing Board determines the application for the renewal of a Hackney Carriage Vehicle licence in exceptional circumstances and if granted, delegates determination of future renewals of this vehicle to The Head of Environmental Services.

1. Background

1.1 Gosport Borough Council as a licensing authority under the Town & Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 is responsible for licensing Hackney Carriage Vehicles. Hackney Carriage Vehicle Licences may be granted in accordance with the Gosport Borough Council's Private Hire and Hackney Carriage conditions.

2 Report

- 2.1 An application to renew a Private Hire Vehicle licence for a vehicle that will be more than 8 years old at the time of renewal was received from Mr Bryn Gibson on 2nd September 2014. (Attached as Appendix A). The vehicle for which the application relates to is a Ford Mondeo, registration number CA06 TUH. The current licence for this vehicle expired on 16th September 2014, and the license has been extended to the 28th October 2014 to allow for the Licensing Board determination.
- 2.2 The vehicle does not meet the age criteria as laid down in the Gosport Borough Council Hackney Carriage and Private Hire Conditions for renewal applications. The vehicle reached eight years

- old on 30th June 2014 and the applicant has therefore requested the Board consider this application as an exceptional vehicle (Attached as Appendix B). Therefore the renewal of this vehicle application must be determined at the Licensing Board.
- 2.3 The purpose of any age limit is to try and ensure that the licensed vehicles are as safe, reliable and comfortable as possible. The Licensing Authority must consider any application that falls outside the age policy on its own individual merits.
- 2.4 Mr Gibson is requesting the Licensing Authority to depart from this Condition because of the mechanical / servicing history of the vehicle.
- 2.5 The mechanical condition and comfort of the vehicle were found to be satisfactory on inspection and public safety would not be compromised should the board be minded to grant the application.
- 2.6 This vehicle renewal application is being put to the Licensing Board for determination

3 Risk Assessment

3.1

If the Council were to refuse the application for the vehicle to be licenced as exceptional circumstances, the vehicle would not be able to operate as a licenced Hackney Carriage Vehicle in the Borough of Gosport.

4 Conclusion

4.1 The Council has adopted conditions to ensure the safety of the travelling public in both Hackney Carriage and Private Hire vehicles in the Borough.

Financial Services comments:	None
Legal Services comments:	A person aggrieved by a decision of the Licensing Board may appeal that decision to the Magistrates Court within the period of 21 days beginning on the date that the written notice of the decision. A person aggrieved may continue to drive until the expiry of the 21 days or if an appeal is made until such time the appeal is determined.
Service Improvement Plan implications:	None
Corporate Plan:	N/a

Risk Assessment:	Please see paragraph no. 3 in body of
	report
Background papers:	None
Appendices/Enclosures:	
Appendix A	Application Form
Appendix B	Request for Vehicle to continue to be
	licenced as a Hackney Carriage Vehicle
Appendix C	Service History
Appendix D	Engineers Report
Appendix E	MOT
Appendix F	V5C (Log Book)
Appendix G	Insurance Certificate
Appendix H	Officer Inspection
Appendix I	Vehicle Images
Report author/ Lead Officer:	Sarah Hardy 02392 545609

8 yrs +

Put in GBC panel folder.

Ref. No. P117 (G)

FAREHAM BOROUGH COUNCIL



Licence No. 3371

Working in partnership

	£ 251 Date 2. 9.14	
	Receipt No. 04999.	7
1. LICENCE DETAILS		j
Is this application for a HACKNET CARRIAGE- VEHICLE LICENCE or a PRIVATE HIRE VEHICLE LICENCE OF A PRIVATE HIRE VEHICLE LICENCE	DENCE? PRIVATE HIRE	
If PRIVATE HIRE, give name of OPERATOR:		
	Bryn Gibson	
If RENEWAL, please state plate number:	117	
2. APPLICANT DETAILS		7
Full name (first names, last name) Bryn Harold Gib	oson	5
Address 6 Pier Street Lee-On-The-Solent	Postcode PO13 9LD	× - · · · · · ·
Telephone 9236 9236 Fax G 13/0122 Mobile 07775 742 124	9/PHV Email	
	Date of Birth 29/4/195%	
3. OTHER PERSONS Full name and address of any		
vehicle (state whether partner, c		
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4. VEHICLE DETAILS		7
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EHVEHRENG

5. INSURANCE DETAILS (Which is required to cover carriage of passengers for hire)
Name of Insurance Company
Date Policy Expires 31/10/2014
Is this a cover note? YES/NO Cover Note Expiry
6. OPERATOR DETAILS:
Operator Licence No.
Business Name COLS CILLS
Business Address 6 FILL STRUT WILL GO SONGET
7. DRIVER DETAILS:
Driver Name
Badge Number
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DECLARATION
I/We have read the Conditions of Licensing (Form VEH 6/8) and undertake, in the event of a licence being granted, to observe and perform such conditions. I/We declare that to the best of my/our knowledge and belief the answers given on this application are true.
Signed Date 2/9/2014
(applicant)
Signed Date

Data Processing Fair Processing Statement

The information that you provide is used to determine whether or not to grant a vehicle licence. We have a duty to protect the public funds we administer and may use your information for the prevention and detection of fraud. The information may also be used for auditing, monitoring, statistical and other reseach. Some of the information we hold may be shared with other Council or Government departments, agencies and similar organisations (including law enforcement agencies) to enable them to perform their duties or for comparison purposes. The information we hold about you is normally retained for seven years after the end of the licence period. For further information about the National Fraud Initiative see www.fareham.gov.uk/dpnfi.

Notes:

Please return this form in person to your Licensing Authority at the relevant address below.

For Official Use Only

Registration Document	Current MOT Certificate	Engineers Report	Insurance Documents	Meter Certificate (HC Only)	Processed By (initials)
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Any personal information you have provided, or which has been obtained from other sources, will only be used by the Council. Records will be stored on the computer system and/or paper files and will not be given to third parties unless we are legally obliged to do so.

Fareham Office:

Environmental Health Section, Fareham Borough Council Civic Offices, Civic Way, Fareham, Hampshire, PO16 7AZ

Tel: 01329 236100 Fax: 01329 550576

Email: regulatory@fareham.gov.uk

Environmental Health Section, Gosport Borough Council Town Hall, High Street, Gosport, Hampshire, PO12 1EB

Tel: (023)9258 4242 Fax: (023)9254 5360 Email: ehs@gosport.gov.uk

EHVEHRENG

COLS CARS

6 Pier Street, Lee-on-the-Solent, PO13 9LD Telephone (023) 9236 9236 (023) 9255 2233 Fax (01329) 236238

PRIVATE HIRE CARS

EIGHT SEATER MINIBUSES

17 AUGUST 2014

HELEN SPIRES LICENCING OFFICER TOWN HALL GOSPORT

APPLICATION FOR EXCEPTIONAL VEHICLE LICENCE FOR PLATE NO 117 REGISTRATION NUMBER CAO6 TUH. JUST TURNED EIGHT YEARS OLD. ENCLOSED RSGISTRATION DOCUMENTS, SERVICE HISTORY AND M.O.T. CERTIFICATES FROM 2008 TO 2014

YOURS SINCERLEY B.H.GIBSON

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Registration CA06TUH



Year: 2006

Working in partnership

Plate No: HC/PHV 117

MOTOR ENGINEER'S REPORT ON A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE

A report will not be accepted from a motor engineer associated with the sale of the vehicle

Make	Ford	Model:	Mondeo	Sal	Engine Size:	20сс
Colour	Blue	Chassis/Frame no	Wf05)	CXG BI	15612758	32
		Previous Mileage	-		Recorded Mileage	
			10000			00000
	TESTABLE ITEM	PASS	FAIL	REASO	N FOR FAILURE	/ REMARKS
Lighting	Equipment				A.C.	
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ABS Warnin	g System/Controls	32.7 6 344				
Service Brea	ak Condition	_				
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TESTABLE ITEM	PASS	FAIL	REASON FOR FAILURE / REMARKS
Seat Belts			
Security of Mountings			
Condition	_		
Operation	_		
General Items			
Fuel Systems	-		
Windscreen Washers			
Windscreen Wipers			
Horn	_		
Exhaust System			
Silencer			
Vehicle Structure	-		
Mirrors			
Exhaust Emissions	-		
Hackney Carriage/Private Hire Items			
Accident Damage / Body Condition	_		
Taxi Roof Lights - H/C ONLY	MA		
Engine Noise			
Fire Extinguisher	-		
Ancilliary Equipment (ramps etc.)	W/A		
Any other remarks on condition of items not listed above		2 9	
6 ° 0			•

Name of Motor Company COCOCIA WORK CAMPACT SCHOOL	rows CM)
	THANKS POLICYLS
Vehicle Testing Station No. (if applicable): 0830180	
Signature of Tester:	Gosport, Hants, PO12 4LJ
Name (BLOCK CAPITALS): CALAYSTTOW	COLOURWORX (GOSPORT) Ltd. Unit 15 Quay Lane

MOT Test Certificate NOSN &

MOT Test Number

868484244286

FORD

Jodel

Make

Vehicle & Operator Services Agency

Vehicle Registration Mark

ehicle Identification Number CA06TUH

WF05XXGBB56L27582 Country of Registration

GB

TDCI 130

MONDEO ZETEC

Solour BLUE **Fest Class**

Odometer Reading and History 01/09/2014: 338189

Signature of Issuer

C. A. BATTEN ssuer's name

29/08/2013: 282922 28/08/2012: 234738 05/09/2011: 184203

penss

SEPTEMBER 15th 2015

Expiry Date

(FIFTEEN)

Additional Information

01/09/2014 15:05

To preserve the anniversary of the expiry date the earliest you can present your vehicle for test is 16/08/2015

COLOURWORX GARAGE SERVICES LTD **Ispection Authority**

QUAY LANE UNIT 15 GOSPORT 02392502608

PO12 4LJ

An executive agency of the

Advisory Information

Advisory Items

001 Réar box rusty

002 Some noise in steering

About this document

est Station

0830B0

1 This document is a receipt style certificate telling you that an MOT Test pass result has been recorded on The Vehicle & Operator Services Agency's (VOSA's) database of MOT Test results; this may be verified at www.direct.gov.uk/yourmotcheck

2.A test certificate relates only to the condition of the components examined at the time of test. It does not confirm the vehicle will remain roadworthy for the validity of the certificate. 3 Check carefully that the details are correct.

4 Whilst advisory items listed above do not constitute MOT failure items they are drawn to your attention for advice only.

Transport

5 For further information about this document please visit www.direct.gov.uk/mot or contact VOSA on 0300 123 9000*.

'Your call may be monitored or recorded for lawful purposes.

VT20/TRE

Page 1 - end of MOT documents

VTS Name:

COLOURWORX GARAGE SERVICES LTD

VTS Address: UNIT 15, QUAY LANE

GOSPORT

HAMPSHIRE, PO12 4LJ

TEL 02392502608

VTS No.:

0830B0

Date & Time: 1/9/2014 13:51

Tester ID: C A BATTEN

MOT No.:

VRM:

CA06TUH

Make:

FORD

Model:

MONDEO

VIN:

L27582

Size (cc):

Dieseltune - Diesel MOT Smoke Test program

Program - Version 2.0.10.16845

MOT SMOKE TEST - Turbo

RESULT		DIAGNOSIS	LIMI"	ΓS
			Min	Max
Oil temperature	= No engine t	emperature taken	60	
Smoke Reading				V .
Peak 1	$= 1.99 \text{ m}^{-1}$			-
Peak 2	$= 2.74 \text{ m}^{-1}$			
Peak 3	$= 3.40 \text{ m}^{-1}$			· · ·
Peak 4	$= 1.84 \text{ m}^{-1}$		<u> </u>	,
Peak 5	$= 1.66 m^{-1}$		=	
Peak 6	$= 1.67 \text{ m}^{-1}$		-	-
Zero Drift	= 0.03 m ⁻¹	PASS	_	0.10
Average	= 1.69 m ⁻¹	* *,	a a	
MOT Test Result				
Turbo	$= 1.69 m^{-1}$	PASS	-	3.00

(auseurune)

Dieseltune Smoke Analysis © Dieseltune 2003 - 2010

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

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2033 822 2987 Des. Codes 1007427000 / 01656 42

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CAO6 TUH

V5C-0311

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12. What you need to know about the V5C

Selling or transferring your vehicle privately

What you, the person selling the vehicle as current registered keeper, must do. Failure to tell DVLA may result in a fine or prosecution.

- Fill in section 6.
 (Give the name and Great Britain (GB) address of the new keeper (buyer). If they do not have a GB address see 'Your Registration Certificate (V5C) and you' (INS160) for advice).
- Fill in section 10 (V5C/2) and give it to the new keeper.
- Sign and date the declaration in section 8 along with the new keeper.
- Keep a record of the new keeper's name and address.
- Tear off and return section 1 8 to DVLA, Swansea SA99 1BA.

What the person buying the vehicle must do

- Sign and date the declaration in section 8 along with the seller.
- Keep section 10 (V5C/2) until you get your Registration Certificate. You can use the V5C/2 to get tax for the vehicle.

What we will do

Update our vehicle record with the new registered keeper details.

 Send you, the current registered keeper (the seller), an acknowledgement letter to confirm you are no longer liable for the vehicle. We will do this within 4 weeks.

If you do not get an acknowledgement letter from us phone DVLA Customer Enquiries on 0300 790 6802, as you could be liable for the vehicle and may get a penalty and/or be prosecuted. If you are deaf or hard of hearing and have a textphone, phone 0300 123 1279.

Your name and/or address details

 If the registered keeper details in section 1 are wrong or you want to change your name or address fill in section 6, sign the declaration and return the whole certificate to DVLA, Swansea, SA99 1BA. (You should also make sure you tell us about these changes on your driving licence by sending it to DVLA, Swansea, SA99 1BN).

There is more information on the website at www.direct.gov.uk/vehiclereg

Data Protection Act - Release of information

Your information may be disclosed in a number of lawful circumstances. Please go to www.direct.gov.uk/dvladataprotection for more information.

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CAO6 TUH

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Certificate of Motor Insurance

Certificate No:

CFP/2013/2033/10262

Form A

1. Description of Vehicles:

CA06TUH - FORD MONDEO ZETEC TDCI 130

2. Name of Policyholder:

Bryn Gibson T/As Cols Cars &/Or Ferry Cars &/Or A1 Amy's Cars

3. Effective date of the commencement of insurance

4. Date of expiry of Insurance:

for the purposes of the relevant law:

from: 31

31 October 2013 00:01

until:

30 October 2014 23:59

5. Persons or Classes of Persons entitled to drive: Any Driver

Provided that the person is driving with the consent of the Policyholder, holds a licence to drive such a vehicle or has held and is not disqualified from holding or obtaining such a licence and is complying with the terms and limitations of such licence

6. Limitations as to Use:

Use for social, domestic and pleasure purposes, including travel between the driver's home and permanent place of work and including use for the conveyance of passengers or goods for private and/or public hire providing such use complies with the laws and regulation of the appropriate licensing authority but excludes use for racing, pacemaking, speed testing, rallies, trials or competitions, letting on hire or for any purposes in connection with the motor trade.

We hereby certify that the policy to which this Certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland, the Isle of Man, the Island of Guernsey, the Island of Jersey and the Island of Alderney.

For and on behalf of Collingwood Insurance Company Ltd Authorised Insurers

Muse

Alan Beenshill, Chief Executive Officer

Advice to Third Parties: Nothing contained in this Certificate affects your right as a Third Party to make a claim For full details of the insurance cover reference should be made to the policy booklet and schedule.

Collingwood Insurance Company Limited is licensed by the Commissioner of Insurance in Gibraltar under the Insurance Companies Act to carry on insurance business in Gibraltar

Collingwood Insurance Company Limited.

Registered in Gibraltar (Reg. No. 89988). Registered office: Montagu Pavilion, 8-10 Queensway, Gibraltar.

10262:20131030:105920:N65X

Your Certificate provides evidence that you have insurance cover to comply with the law. Any termination or suspension of the insurance, where agreed by Collingwood Insurance Company Limited will operate only from the date of return of the Certificate(s).

24 hour Claim line telephone number: 0845 3700008

Motor Insurance European Cover

In accordance with EU Directives, the Certificate of Motor Insurance overleaf and the insurance policy to which it relates meet the compulsory Motor Insurance requirements of the member countries of the European Union. Your insurance also provides the minimum compulsory cover in

All correspondence and enquiries concerning this insurance should in the first instance be addressed to your insurance intermediary.

This insurance is administered in the UK on behalf of Collingwood Insurance Company Limited by Collingwood Insurance Services (UK) Limited. Registered in England and Wales (Reg. No. 4174235). Registered office: Collingwood House, Earl Grey Way, North Shields, Tyne and Wear NE29 6AR

Collingwood Insurance Services (UK) Limited is authorised and regulated by the Financial Conduct Authority (FCA Reg. No. 310870) Collingwood Insurance Services (UK) Limited is an appointed service provider to Collingwood Insurance Company Limited and is not an Agent of Collingwood Insurance Company Limited.





Working in partnership

HACKNEY CARRIAGE/PRIVATE HIRE RENEWAL INSPECTIONS

Plate No: 117 Vehicle Reg: CA06TUH

Owner BRYN HAROLD GIBSON

Make & Model: Ford Mondeo Sal

Colour: Blue Cc 2000 Fuel D

To carry 4

Recorded Mileage: 338189 Vehicle type: P Meter Type: Inspection carried out by Sarah Hardy and Helen Spires – for Licensing

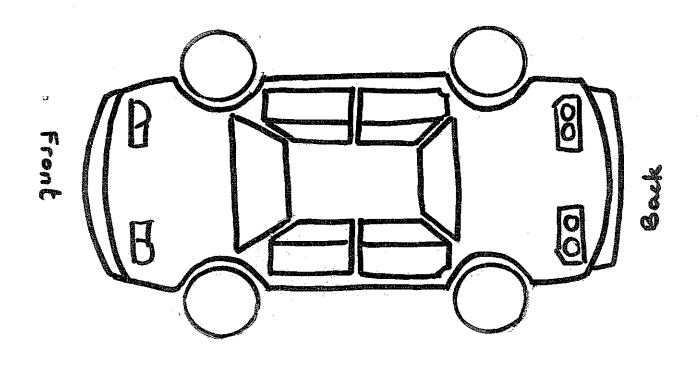
Board

	Testable Item	PASS	FAIL	Reasons for Failure and Remarks
Ger	eral de cultura de la companya de l			
1	Tax Date	21/	2/19	4.
2	Bodywork (enter defects on diagram over)			
3	Roof Sign-word taxi either side and red light to rear (HC only)	1/a		
4	For Hire Sign (FBC HC only)	nla		
5	Plate placement			
6.	No signs on windows (obscuring vision)	1		
7	Door seals (no tears present)	V		
8	Interior (clean & tidy, seats not torn)	1	r	
9.	Seat Belts operational	1/	•	
10	Tariff Card (HC only)	Ma		
11	No Smoking Signs (1 in each compartment)	1		
12	Pre Booking stickers (GBC PH only)	1//		
13	Fire Extinguisher	1		•
14	Meters (time is correct on meter)	nla		
15	Wheel Base at least 100 inches (FBC)	i		
16	Rear seats measure 16inches per seat	<i>V</i>		
Tyre				
17	Front driver side	1		
18	Front passenger side	1		
19	Rear driver side	1		
20	Rear passenger side	1	- J	
21	Spare/Space saver/Inflation kit	i		

Paintwork Chipped in places minor dents to body work

-if this Vehicle was presented as a Standard renewal, we would ask for paintwork to be tidled up for next year.

	Testable Item	PASS	FAIL	Reasons for Failure and Remarks
Ligh	its & Other			
22	Front Side lights			
23	Front Headlights	i i		
24	Front Main beam	i/		
25	Front Indicators	://		•
26	Front Hazard	V		
27	Front washers / wipers			
28	Front fog lights	V		
29	Rear Side lights	1		
30	Brake	1,/		
31	Rear Indicators	i		
32	Rear Hazard	i		
33	Reversing Lights	i		
34	Rear fog lights	1/	·.	
35	Number plate light			



- 1. Scratches
- 2. Dents
- 3. Rust
- 4. Other (please state)

Signature Bourdy. HSpire,

Date /0-/0-/4

