



Committee: LICENSING COMMITTEE

Date: THURSDAY, 13 MARCH 2025

Venue: MORECAMBE TOWN HALL

Time: 1.00 P.M.

AGENDA

1. Apologies for Absence

2. Minutes

To receive as a correct record the Minutes of meeting held on 6th February 2025 (previously circulated).

3. Items of Urgent Business authorised by the Chair

4. Declarations of Interest

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Matters for Decision

5. **Annual Report - Licensing Service** (Pages 3 - 11)

Report of the Licensing Officer

6. **Proposed Licensing Work Plan 2025** (Pages 12 - 19)

Report of the Licensing Officer

Exclusion of the Press and Public

7. Exempt Item

The Committee is recommended to pass the following recommendation in relation to the following items:

"That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the ground that it could involve the possible disclosure of exempt information, as defined in paragraph 1 of Schedule 12A of that Act."

Councillors are reminded that, whilst the following items have been marked as exempt, it is for the Committee to decide whether or not to consider them in private or in public. In making the decision, Councillors should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion, Councillors should also be mindful of the advice of Council officers.

8. Determination of a renewal application of a dual driver's licence (Hackney Carriage/Private Hire) (Pages 20 - 27)

Report of the Licensing Manager

9. **Decision taken in respect of a review of a Dual Drivers Licence** (Pages 28 - 34)

Report of the Licensing Manager

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Paul Tynan (Chair), Margaret Pattison (Vice-Chair), Louise Belcher, Gerry Blaikie, Martin Bottoms, Claire Cozler, Maria Deery, Andrew Gardiner, John Hanson and Sally Maddocks

(ii) Queries regarding this Agenda

Please contact Sarah Moorghen, Democratic Support - email smoorghen@lancaster.gov.uk.

(iii) Changes to Membership, or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES, CHIEF EXECUTIVE, TOWN HALL, DALTON SQUARE, LANCASTER, LA1 1PJ

Published on 5th March 2025.

LICENSING COMMITTEE

Annual Report – Licensing Service

13 March 2025

Report of Licensing Officer

Annual Report

PURPOSE OF REPORT

To provide an annual report to members of Licensing Committee on private hire/hackney carriage related matters, including volume of applications, complaints, and enforcement activity.

This report is public.

RECOMMENDATIONS

(1) That members note the contents of the report.

1.0 Introduction

1.1 At the meeting of Licensing Committee on 3rd February 2022 members approved the Private Hire and Hackney Carriage Licensing Policy. Point 3.13 of the policy states the following in terms of reporting on Licensing Authority performance.

Licensing Officers will provide an annual report to the Licensing Committee outlining the number of private hire/ hackney carriage related applications received, the determination of those applications, and highlighting the number of applications where the decisions were made not in accordance with the Councils policy.

The report will also provide details of the number of complaints received in respect of drivers/ vehicles and operators and an overview of the nature of complaints and how the complaints were dealt with.

The annual report will also include an overview of any legal cases and appeals.

- 1.2 Attached at **Appendix 1** is a summary of all the information collated.
- 1.3 The report covers the calendar year 1st January 2024 31st December 2024.

2.0 Applications

- 2.1 The Licensing service deals with a variety of Hackney Carriage and Private Hire applications, many of which are determined by Officers under delegated powers. Members are only party to decision-making in certain circumstances, it is therefore important to highlight the volume of applications received, the outcomes and highlight any exceptional cases. This will assist when reviewing application standards and the hackney carriage and private hire licensing policy.
- 2.2 The table below shows the type of licences currently issued by Lancaster City Council and administered by the Licensing service; it equates to 895 active hackney carriage and private hire related licences in the Lancaster district.

Type Of Licence	Total no. active licences 2024 figures	Duration (licence length)
Private Hire Drivers	31	1 or 3 Years
Hackney Carriage Drivers	22	1 or 3 Years
Dual Licensed Drivers (HC and PH)	429	1 or 3 Years
Private Hire Vehicles	254	4/6/12 Months
Hackney Carriages	108	4/6/12 Months
Private Hire Operators	51	1 or 5 Years

- 2.3 There has been 62 new drivers', 34 new vehicles and 5 new operator licences issued in the last calendar year.
- 2.4 Licences are subject to renewals, if a matter arises upon application to renew a driver's licence that may call into question the driver's fitness, e.g. a relevant conviction or motoring offence; this decision is delegated to Licensing Committee. If the renewal application meets the required standard, officers administer and issue the licence. A total of 107 drivers renewed their licence in 2024. (Hackney carriage, private-hire and dual)
- 2.5 Members have not been required to determine any driver renewal applications in 2024.
- 2.6 Members were required to review the suitability of 2 licensed drivers. One resulted in an immediate revocation, and one were issued with a 7-day suspension. Usually, these cases are referred to Licensing Committee following a series of complaints or significant events that question an individual fitness to remain licensed.
- 2.7 Vehicle licences are renewed at 4/6/12 monthly periods depending on the age of the vehicle, therefore each of the 362 licenced vehicles have renewed their licence at least once within the 12-month period.

Vehicles are tested prior to licensing by the Councils Vehicle Maintenance Unit. The total number of vehicle tests carried out, including retests, tests following an accident and standard testing in relation to age of vehicle is 758.

3.0 Summary of Complaints

3.1 There has been a total of 53 complaints reported to the Licensing team in the last 12 months. (01 January 2024 - 31 December 2024).

The type of complaints typically falls into the following categories and the numbers represent how many complaints per subcategory. Complaints have mostly been made by members of the public however there are occasions when operators raise concerns and complaints in reference to other operators.

Public Safety (13) some examples have included failing to stop at stop sign causing a collision with another vehicle, undertaking vehicles in a dangerous manner, speeding, allegations that a driver was under the influence of alcohol whilst carrying passengers and a taxi driver watching football on a mobile phone whilst carrying passengers which led to a 7-day suspension.

Other (17) some examples include customer leaving a wallet in a vehicle and the driver not returning it, a driver not following taxi rank protocols, driver refusing a fare due to customer having a dog, taxi drivers carrying out work with their own operator's licence but using another operators door signage, taxi driver parking in a disabled bay, taxi driver littering and vehicle proprietors selling their hackney plates without the vehicles.

Uber/Out of Town Vehicles (11) All 11 complaints relate to allegations of Uber/Out of Town working in the Lancaster District/importuning for hire. A driver and a vehicle licensed by one local authority can pick up and drop off passengers in another local authority's area, if the booking is made through an operator licensed by the same authority. None of the complaints received in 2024 have been evidenced as illegal activity.

Violence and Aggression (6) Some examples include making threats from a licensed vehicle, an altercation between 2 licensed drivers at the railway station, racist comments towards customers, an uber driver feeling threatened by a Lancaster city council driver at the University when carrying out pre-booked work, a taxi driver being abusive towards a uber driver at the Lancaster University and an alleged assault by an Uber Driver to a Lancaster City Council licensed driver.

Overcharging (4) All the complaints for over charging have been allegations that the driver has charged customers more than the metered fare.

Not displaying badge/tariff (2) The complaints related to vehicles displaying expired plates

- 3.2 When the licensing service receives a complaint, it is allocated to an investigating officer. That officer then collates all relevant information, which can include obtaining CCTV, statements from witnesses, liaison with Police and checking booking records etc. Part of the process is to also inspect the internal client records of the licensed driver/operator. This may show the complaint as a one-off incident or highlight a pattern of behaviour which is of concern. It is those cases that are presented to Licensing Committee.
- 3.3 Licence holders are notified of any complaint made against them and given the opportunity to respond to any allegation made, in addition, witnesses are often sought; in most reported complaints, it is one parties word against another and difficult to prove/disprove any wrongdoing. That is the importance of up to date, thorough record-keeping, so trends or pattern of behaviour can be identified, and the appropriate course of action swiftly taken.
- 3.4 As part of the updated licence conditions for Private hire operators (PHO), they must

adopt, implement, review, and update their customer service and complaints policy which includes managing the conduct of drivers and the timeframe for responding to complaints. Listed in the conditions are specific requirements in relation to the handling of complaints and the operator responsibilities. At least every 6 months, the PHO must submit the complaint log to the licensing service.

This will assist the Licensing Authority in ensuring all relevant matters are recorded on the client (driver) records and discussed with the operator to ensure complaints are handled in a consistent, fair manner.

Licensing Officers will be sending reminders to operators at 6 monthly intervals to ensure that they submit the complaint logs to the Licensing team.

4.0 Enforcement/Compliance Activity

4.1 The licensing team undertake a variety of enforcement duties, of both a proactive and reactive manner. Activity is carried out by Council Officers but can involve other agencies such as the local Police, DVSA and Lancashire County Council.

The main purpose of licensing enforcement is to:

- Secure the health, safety and welfare of members of the public who either make use of the licensed activity or who are affected by it in some way.
- Deal immediately with serious risks.
- Promote and achieve sustained compliance with the law.
- 4.2 Proactive inspections have been carried out on licensed vehicles totalling 58 inspections carried out in total. Most inspections have been satisfactory. A handful of vehicles have been issued with defect notices; the notice gives the vehicle proprietor a fixed period to ensure repair to the vehicle is made. Defects have included, bodywork damage and replacement signage required.
 - Very few vehicles have been suspended, all were due to not having a valid insurance certificate, vehicles being off road due to accident damage and poor vehicle standards.
- 4.3 In 2024 Licensing Officers carried out a Private Hire Operator operation with Officers carrying out 43 operator inspections. The purpose of the operation was to ensure compliance with the Council's Private Hire and Hackney Carriage Licensing Policy in respect of private hire operator licence conditions and associated standards.
- 4.4 The project was an important exercise to satisfy the Council that licensed private hire operators were aware of and adhering to the conditions of their licences in respect of the following criteria:
 - Records of bookings (digital & manual)
 - Sub-contracted work
 - Vehicle log
 - Driver log
 - Safeguarding awareness
 - Staff training records (where appropriate)
 - Complaints are recorded.
 - Lost property

There were 42 operators compliant to Licensing Officers' satisfaction. Licensing staff advised 1 private hire operator that improvements were required.

Licensing Officers were satisfied with the overall high level of compliance with the day-to-day recording of bookings for pre-booked journeys undertaken.

5.0 Appeals Hearings

5.1 There have been no appeal hearings in 2024.

6.0 Conclusion

- 6.1 Since 1st January 2025 the Council have fully digitalised all hackney carriage and private hire licence applications. Licensing Officers are running a drop-in session once a month, feedback has on the whole been positive. The purpose of the drop in sessions is to provide support and assistance for applicants to complete their application(s).
- 6.2 There are 895 active hackney carriage and private hire licences operating in the Lancaster district. The Licensing service are responsible for the administration, compliance and enforcement associated within the relevant licensing regime and legislation for each of those licences.
- 6.3 The private hire and hackney carriage licensing policy became effective on 1st April 2022, since then the licensing service has worked alongside the local trade to ensure compliance, with awareness and education being a priority. Investigations and inspections are important to ensure compliance from licence holders, Licensing officers are proactively and reactively responding to reports and complaints to ensure public safety is maintained.
- 6.4 The Licensing team have received several complaints in relation to Uber/other local authority licensed vehicles working in the Lancaster District. A driver and a vehicle licensed by one local authority can pick up and drop off passengers in another local authority's area, if the booking is made through an operator licensed by the same authority. None of the complaints that we have received have identified illegal activity. However, if a member of the trade observes and can provide specific evidence of such vehicles plying for hire (picking up passengers/not pre-booked) it will be subject to a full investigation. Sightings of such vehicles will not be investigated. Licensing Officers will be carrying out routine evening shifts throughout the year to deter any illegal activity.

CONCLUSION OF IMPACT ASSESSMENT

(Including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

None identified

LEGAL IMPLICATIONS

None identified

FINANCIAL IMPLICATIONS

None identified

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, **Property, Open Spaces**

None identified

SECTION 151 OFFICER'S COMMENTS

The report is for noting, no comments required.

MONITORING OFFICER'S COMMENTS

The report is for noting, no comments required.

BACKGROUND PAPERS

Contact Officer: Miss Sarah Jones

Telephone: 01524 582766 Email: sljones@lancaster.gov.uk Ref: AR2024

Information to be included in annual report

Number of Licensing applications determined

Type of application	Licenc	e granted	Licence	e refused
	Application within policy	Application outside of policy	Application within policy	Application outside of policy
PH driver new	1	0	0	0
PH driver renewal	13	0	0	0
HC driver new	0	0	0	0
HC driver renewal	4	0	0	0
Dual driver new	61	0	1	0
Dual driver renewal	90	0	0	0
PH vehicle new	34	0	0	0
PH vehicle renewal	154	0	0	0
HC vehicle new	1	0	0	0
HC vehicle renewal	65	0	0	0
PH Operator new	5	0	0	0
PH Operator renewal	16	0	0	0

Number of compliance visits/ inspections

Licence	Numbers undertaken			
	Satisfactory	Verbal/ written warning	Formal action (Defect/Suspension Notice issued for vehicles)	
PH Drivers	х	х	х	
HC Drivers	х	х	х	
Dual driver	х	х	х	

PHV (vehicle test)*	489	х	х
lest)*			
HCV (vehicle	269	х	х
test)*			
PHV	20	0	6
inspection**			
HCV	28	0	4
inspection**			
РНО	42	1	0

PHV/ HCV test * denotes vehicle test as part of licence application process at VMU

PHV/HCV inspection** denotes reactive inspection undertaken by licensing officers during the course of the licence

Use of suspension and revocation provisions

Licence	Susp	ension	Revo	ocation
	Immediate	Delayed	Immediate	Delayed
PH driver	0	0	0	0
HC driver	0	0	0	0
Dual licensed driver	0	1	1	0
PHV	3	0	0	0
HCV	3	0	0	0
PHO	0	0	0	0

Complaints – Total Number 53

53 complaints have been reported and investigated by the licensing service between 1st January 2024 and 31st December 2024. Please refer to paragraph 3.1 of the report for the full breakdown of complaints into categories.

Licence	Complaints				
	Driver or operator conduct/ Vehicle safety	Driving standards	Overcharging / long routes etc	Cleanliness	
PH driver	х	х	х	х	
HC driver	х	х	х	х	
Dual licensed driver	х	х	х	x	
PHV	х	х	х	х	
HCV	х	х	х	х	
РНО	х	х	х	х	

X denotes not applicable

LICENSING COMMITTEE

Proposed Licensing Work Plan 2025

13 March 2025

Report of Licensing Manager

PURPOSE OF REPORT

To seek members approval (with or without modification) of the proposed Licensing work plan for 2025.

The report is public

RECOMMENDATIONS

(1) That the attached draft Licensing work plan for 2025 be approved by the Committee with or without modification.

1.0 Introduction

- 1.1 The proposed work plan attached at **Appendix 1** provides an overview of planned project work for the year 2025. The work plan does not deal with the day-to-day routine activities of the team which would have to take priority over planned reviews and developments.
- 1.2 The work plan contains project work, service and policy reviews that have been identified over the last few years as areas that will need scrutiny and review. The committee may already be familiar with a substantial number of the elements identified in the work plan as matters previously raised by of discussed by this committee or require annual consideration.
- 1.3 The committee may wish to add to, remove or otherwise modify the workplan.

2.0 Proposal Details

2.1 The proposals detail planned project type work in relation to licensing and gambling act activities, taxi and miscellaneous licensing and street trading. Additional projects may be required dependent upon any changes to national guidance, legislation, case law or other relevant considerations.

3.0 Details of Consultation

3.1 There is no plans to undertake any formal consultation regarding the proposed work plan, other than to seek committees' approval with or without amendment to the draft work plan outlined at **Appendix 1**.

4.0 Officer Preferred Option

4.1 For committee to agree the attached work plan noting the indicated priorities given for each of the items it contains.

5.0 Conclusion

5.1 The work plan as proposed contains key reviews and developments that the Licensing Manager considers to be key priorities and deliverable within the timeframe set.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

The work plan identifies a number of policy reviews which will be subject to impact assessments as appropriate.

LEGAL IMPLICATIONS

Each policy review will be conducted within the appropriate legal framework and compliance with best practice guidance where appropriate.

FINANCIAL IMPLICATIONS

Any financial implications arising from individual elements of the work plan will be detailed in the specific reports.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

SECTION 151 OFFICER'S COMMENTS

MONITORING OFFICER'S COMMENTS

BACKGROUND PAPERS None Contact Officer: Jennifer Curtis Telephone: 01524 582732 Email: jcurtis@lancaster.gov.uk

Ref: JC/WP25

Licensing Service

Proposed Workplan 2025

Achievements from previous plan:

- Licensing Fees review undertaken annual requirement
- Updated Statement of Licensing Policy Licensing Act (5-year policy)
- Determination Hearings LA03 Change to constitution
- Temporary Licences Clear Guidance for Officers/Service Users
- Private Hire Operators Compliance Checks following amendments to licence conditions
- Pavement Licence Policy Updated and complaint district
- Updates to taxi policy prescribed roof-sign now optional
- Premises update inspections/volume of applications/compliance levels
- WAV Changes to PHO conditions (1 WAV per 10 vehicles)

Project	Scope	Reason	Risks	Timeline	Progress – March 2025
To Review the Councils Statement of Gambling Policy (Valid for 3 years)	Review content and aspirations of the Council in terms of how it will deal with Gambling Act 2005 matters, including applications and enforcement.	Statutory Requirement	Legal Challenge	Urgent	Licensing Officer reviewing current policy.
Review of Hackney Carriage Rank Provision	A full Hackney Carriage stand review has been required for a number of years and has been highlighted as part of the most recent unmet demand survey.	To improve availability of Hackney carriages to the public To prevent misuse of current stands by members of the public.	Failure to review ranks regularly will lead to issues of non-compliance and or out of date signs and lines.	Ongoing	Contact was made with Highways Officer. It was advised that the costs of the review would have to be met by LCC, they are significant, roughly

			The trade requires		12k.
			ranks in suitable		1211
			locations.		2024 improvements made to Arndale HC stand.
					2025 Lancaster Bus Station and Brock St updates a priority.
					Intention to tackle outdated stand signs/lines as/when identified to keep costs minimal.
Review Private Hire and Hackney Carriage Licensing Policy	The policy was implemented by Licensing committee in April 2022. It brought together all existing policies, application standards, specifications and expectations of licence-holders of Private Hire and Hackney Carriage Licensing into one document.	Policies require regular reviews, particularly in light of significant changes to process/applications.	Information provided is out of date and incorrect.	Will need to align with digitalisation project	Licensing Manager maintains a running list of matters requiring review or attention as part of the review. Updates actioned eg. Roof-signs/wheelchair accessible vehicle PHO condition.
					Taxi and private hire liaison group will identify matters to review/consult trade.

Promote Commercial Services	To promote paid service "Licensing Direct" and Personal licensing training courses.	To assist business start- ups and existing licence holders. Ensure valid applications are applied for every time.	Reduced capacity in team to meet demand (Staffing Levels/Sickness/An nual Leave)	Ongoing	Licensing Officers offering paid services as/when applicable. Non-priority.
		Reduce time spent by Officers amending applications and liaising with applicants.			
Hackney Carriage Fare Review 2025/26 Annual Requirement	Methodology and frequency of fare reviews was determined by the Council Cabinet in April 2022.	To ensure fares reflect the cost of living.	Further decrease in availability of drivers/vehicle in the District – licensed trade becomes unsustainable.	November 2025	Review will begin using RPI from November 2025. Trade will be consulted on preferred options — Fares maintained 2024, with many of the trade believing an uplift would be detrimental.
Multi-Agency Vehicle Operation	Planned Operation with partner agencies, Lancashire Constabulary/DVLA/VOSA. Provides an opportunity to complete a high number of vehicle inspections, check compliance with licence conditions.	To ensure the licensed fleet of HC/PHVs are mechanically fit and roadworthy. Additionally, that condition/signage requirements are met	Members of the trade become complacent regarding compliance with licence conditions, leading to a poorly maintained fleet.	Summer 2025	Licensing Officers will plan the operation, involving DVLA/traffic police. Date(s) tbc.

Licensing Fees Review	The trade will not be notified of when the operation will be conducted, if requested they will be required to present their vehicle for inspection. Licensing Manager to conduct a full Licensing fee review based on full cost recovery.	Licensing Fees should allow for full cost recovery, it is important to regularly review fees on that basis.	Legal Challenge - Judicial review	Early 2026	Set in line with budget New fees to take effect from April 2025.
Scrap Metal Compliance and Enforcement Activity	Ensure all those operating in/around the District have the relevant licences To improve compliance and standards in the District. Facilitate a multi-agency approach, involving internal and external partners	It has been highlighted that the number of licensed Scrap Metal Dealers has reduced since legislation/licensing requirements in 2013. Compliance visits and spot checks have not been conducted in previous years due to other service priorities	Illegal activity in the District increases, putted added pressure on colleagues in other departments and external partners eg. Police	Ongoing	Little resource to conduct programmed inspections.
Review of Street Trading Policy	To liaise with colleagues in Economic Development, Public Realm and Food Safety Team regarding potential improvements to the current street trading policy in respect of consent/ licence and prohibited streets for street trading. Ensure that permitted street traders are subject to appropriate public safety checks	The current policy does not take account of where on permitted streets trading can take place. To help ensure a balanced and level playing field approach between high street	Some mobile traders may lose income and become unsustainable. Enquiries receive conflicting information/unclea r application process etc.	When resources allow	Little resource to conduct programmed inspections. Licensing Manager intentions is to create an action plan for consideration colleagues/group.

	Formal consultation regarding any proposed changes	businesses and mobile street traders To help avoid mobile traders locating outside inappropriate locations e.g. schools Options to introduce a charging policy and increase revenue			
Digitalisation of Licensing Service	The Licensing service were part of an OBR/People 2 project to look at digitalisation. The outcome of the project was reported to the Councils Cabinet. A set of recommendations have drafted and working groups set up to address the actions required.	To streamline application processes, making a positive customer experience, with streamlined, clear instructions and information available.	The service will not meet the needs of its licence-holders/users.	Ongoing throughout 2025/26	Front end - Website Information updated. All Taxi/PH applications now online. Intention to move Licensing Act/Misc licences digital.
Unmet Demand Survey 2025/26	Licensing Service currently caps number of Hackney carriages (108) – as such need to undertake unmet demand every 3 years.	Report is used as a basis to maintain cap.	Legal challenge	Early 2026	Will engage with procurement process mid-2025.
Review Vehicle Licensing Procedures, Inspections and Maintenance	Vehicle Licensing, including length of licence, testing standards and the products used require review.	To align digitalisation with efficient, streamlined products and processes	Digitalisation outcomes have marginal impact	March 2026	No progress made as yet.

Colour coding Key (Priority)

Lowest Priority
Medium Priority
Highest Priority

Colour coding Key (Progress)

On track or completed
Behind schedule but progressing ok
Significantly behind schedule, delayed, at risk or no progress

Agenda Item 8

Page 20

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Agenda Item 9

Page 28

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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