

LICENSING SUB-COMMITTEE

Friday 24 November 2017

Present:

Councillors Brimble, Newby and Owen

Also Present:

Solicitor, Senior Licensing Officer and Democratic Services Officer (Committees) (MD)

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APPOINTMENT OF CHAIR

Councillor Owen was appointed as the Chair for this meeting.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

TOWN POLICE CLAUSES ACT 1847

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APPLICATION TO RENEW PRIVATE HIRE VEHICLE LICENCE OVER 9 YEARS OLD

The Chair introduced the Sub-Committee and the Solicitor set out the procedure for the hearing advising of the Council's policy and the requirements under Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976.

The Senior Licensing Officer presented an application from Mr AA to grant a Private Hire Vehicle licence in relation to a vehicle which was over 9 years old at the renewal date advising that the matter could not be dealt with under delegated powers. She explained that the vehicle had been licensed as a private hire vehicle since 2010, and the registration date was 20th December 2007 making the vehicle over 9 years old at the time of renewal. The policy in place for the renewal of private hire vehicles between 9 and 10 years old, stated that they would need to be referred to the Licensing Sub-Committee for determination.

The vehicle's recorded mileage from the latest MOT on 10th November 2017, was 256,834 miles. The MOT certificate provided contained four advisories, which had been / not been completed. The vehicle was inspected by an independent vehicle inspector on 10th November 2017 and by a Licensing Officer on 13 November 2017, and considered to be in very good condition.

Mr AA was in attendance and spoke in support of the application. He explained that the vehicle was used solely for short journeys around the city with occasional longer distances business use and not used for personal use. The vehicle was a hybrid car which switched to electric when driving under 30 Mph and was serviced every 10,000 miles or once a month. He confirmed that the advisory's arising from the MOT would be addressed.

RESOLVED that the application for the renewal of a Private Hire Vehicle licence for a vehicle which was over 9 years old be approved subject to evidence being received by the Licensing Authority that the advisories in the MOT have been

repaired.

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APPLICATION TO RENEW PRIVATE HIRE VEHICLE LICENCE OVER 10 YEARS OLD

The Chair introduced the Sub-Committee and the Solicitor set out the procedure for the hearing advising of the Council's policy and the requirements under Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976.

The Senior Licensing Officer presented an application from Mr RH to grant a Private Hire Vehicle licence in relation to a vehicle which was over 10 years old at the renewal date advising that the matter could not be dealt with under delegated powers. She explained that the vehicle had been licensed as a private hire vehicle since 2008, and the registration date was 18th April 2007 making the vehicle over 10 years old at the time of renewal. The policy in place for the renewal of private hire vehicles over 10 years old, stated that they shall not be granted. However the applicant will be given the right to apply for the application to be considered by a licensing sub-committee if they feel their particular circumstances justify a deviation from the existing Policies.

The vehicle's recorded mileage from the latest MOT on 7th November 2017, was 244,523 miles, the MOT certificate provided contained no advisories. The vehicle was inspected by an independent vehicle inspector on 7th November 2017 and a Licensing Officer on 13 November 2017, and considered to be in very good condition.

Mr RH was in attendance and spoke in support of the application. He explained that his vehicle was well maintained and he was the only person who drove it making under 20,000 miles a year. He had new parts installed and provided a list to Members of the changes. He explained that his vehicle did not have a spare wheel, but had a specialised puncture repair kit and any breakdowns would involve AA recovery and another taxi coming to collect the customer. Seat covers were also used to ensure the taxi was clean and kept in excellent condition.

RESOLVED that the application for the renewal of a Private Hire Vehicle licence for a vehicle which was over 10 years old be approved for six months.

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LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Act.

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APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE. TO DETERMINE IF THE APPLICANT IS FIT AND PROPER

The Chair introduced the Licensing Sub Committee Members and Officers.

The Applicant had been referred to the Licensing Sub Committee to determine if he was a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle.

The Solicitor set out the procedure for the hearing and explained Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 stating that the Licensing Authority must be satisfied that a driver is a fit and proper person to hold a licence

to drive a Hackney Carriage/Private Hire Vehicle.

The Senior Licensing Officer presented the report and gave evidence in respect of the application, which had been submitted for the grant of a Hackney Carriage/Private Hire driver's licence on 12th September 2017.

The applicant was in attendance and spoke in support of the application.

RESOLVED that the Licensing Sub-committee was satisfied that the Applicant was a fit and proper person to hold a driver's licence for a Hackney Carriage/Private Hire Vehicle.

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APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE. TO DETERMINE IF THE APPLICANT IS FIT AND PROPER

The Chair introduced the Licensing Sub Committee Members and Officers.

The Applicant had been referred to the Licensing Sub Committee to determine if he was a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle.

The Solicitor set out the procedure for the hearing and explained Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 stating that the Licensing Authority must be satisfied that a driver is a fit and proper person to hold a licence to drive a Hackney Carriage/Private Hire Vehicle.

The Principal Licensing Officer presented the report and gave evidence in respect of the application, which had been submitted for the grant of a Hackney Carriage/Private Hire driver's licence on 5th October 2017.

The applicant was in attendance and spoke in support of the application.

RESOLVED that the Licensing Sub-committee was satisfied that the Applicant was a fit and proper person to hold a driver's licence for a Hackney Carriage/Private Hire Vehicle

(The meeting commenced at 10.00 am and closed at 11.55 am)

Chair