

LICENSING SUB-COMMITTEE

Monday 26 February 2018

Present:

Councillors Sheldon, Holland and Owen

Also Present:

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

16

APPOINTMENT OF CHAIR

Councillor Holland was appointed as Chair for this meeting.

17

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

18

APPLICATION TO GRANT A PRIVATE HIRE VEHICLE LICENCE OVER 4 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 SHT to grant a Private Hire Vehicle licence in relation to a vehicle which was over 4 years old at initial licensing, advising that the matter could not be dealt with under delegated powers. She explained that the vehicle registration date was 30th April 2012 making the vehicle between 5 and 6 years old. The Council's policy states that an application for a first private hire vehicle licence where the vehicle in question is more than 4 years old shall not be granted. However the applicant can apply to the Licensing Sub-Committee for determination if the applicant considers their particular circumstances justify a deviation from the policy not to grant licenses for vehicles over 4 years of age.

The vehicle's recorded mileage from the latest MOT on 3rd October 2017, was 175,976 miles. The MOT certificate provided contained three advisories on the nearside front and rear tyres and offside rear tyre. The vehicle was inspected by an independent vehicle inspector on 8th February 2018 which had requested a series of repairs to the vehicle. Following a service undertaken on 22 February 2018, the work had been completed and SHT's opinion was that the vehicle was in very good condition.

Mr SHT was in attendance and spoke in support of the application. He explained that the vehicle was a BMW, which he stated were excellent vehicles which he was committed to keeping in an excellent condition. SHT stated that maintaining high standards was important as the vehicle would be used as part of Apples Executive Fleet to make journeys to the Airport, Bovey Castle and Gidleigh Park and other longer distance journeys.

RESOLVED that the application for the grant of a Private Hire Vehicle licence be

approved for 12 Months.

19 **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.

TOWN POLICE CLAUSES ACT 1847

20 **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 set out the report to the committee in respect of the application, which had been submitted for the grant of a Hackney Carriage/Private Hire driver's licence on 16th January 2018. 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 10.50 am)

Chair