

LICENSING SUB-COMMITTEE

Tuesday 9 January 2024

Present:

Councillors Asvachin, Bennett and Holland

Also Present:

Legal Advisor, Principal Licensing Officer, Democratic Services Officers (SLS and PD)

1 **APPOINTMENT OF CHAIR**

Councillor Holland was appointed as Chair for this meeting.

Councillor Rees was unable to attend; Councillor Bennett attended in her absence.

2 **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

3 **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.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

4 **APPLICATION TO RENEW HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE LICENCE OVER 9 YEARS OLD**

The Chair introduced the Sub-Committee Members and Officers.

The Legal Advisor set out the procedure for the hearing advising of the requirements under Section 48(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1976.

The Principal Licensing Officer presented the application to renew a Private Hire Vehicle licence in relation to a 6 passenger, Volkswagen Touran which was over 9 years old at the renewal date. The vehicle was first registered on 30 April 2014.

The Applicant had submitted a vehicle MOT certificate dated 19 October 2023 showing a recorded mileage of 249,013 miles and the MOT history indicated that the vehicle had no previous MOT failures and had been exceptionally well maintained. An independent mechanical inspection report dated 23 November 2023 had also been submitted, together with photographs of the vehicle. The vehicle had been inspected by a Licensing Officer who considered the vehicle to be in excellent condition.

The Principal Licensing Officer explained the Taxi Policy, which stated that vehicles over 10 years old should not be granted, however, the Applicant had the

right to apply for the application to be considered by a Licensing Sub-Committee if the Applicant considered that their circumstances justified a deviation from the policy.

The Applicant was in attendance and spoke in support of their application and responded to questions, from Members, the Legal Advisor, and the Principal Licensing Officer. Salient points from the Applicant's statement and answers included:-

- the Applicant's aspiration to purchase either a replacement hybrid or electric vehicle;
- repairs to the drive shaft had been carried out as advised in the November 2023 MOT certificate.

Members commented on the vehicle's immaculate MOT history.

RESOLVED that the application for the renewal of a Private Hire Vehicle licence be granted for 6 (six) months.

5 **APPLICATION TO RENEW HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE LICENCE OVER 9 YEARS OLD**

The Chair introduced the Sub-Committee Members and Officers.

The Legal Advisor set out the procedure for the hearing advising of the requirements under Section 48(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1976.

The Principal Licensing Officer presented the application to renew a Private Hire Vehicle licence in relation to a Hybrid Electric 4 passenger, Toyota Auris which was over 9 years old at the renewal date. The vehicle was first registered on 20 January 2014.

The Applicant had submitted vehicle MOT certificate dated 16 November 2023 showing a recorded mileage of 291,187 miles and the MOT history indicated that the vehicle had failed its MOT test on eight occasions since 2015. An independent mechanical inspection report dated 16 November 2023 had also been submitted, together with photographs of the vehicle. The vehicle had been inspected by a Licensing Officer who considered the vehicle to be in a reasonable condition.

The Principal Licensing Officer explained the Taxi Policy, which stated that vehicles over 10 years old should not be granted, however, the Applicant had the right to apply for the application to be considered by a Licensing Sub-Committee if the Applicant considered that their circumstances justified a deviation from the policy.

The Applicant was in attendance and spoke in support of their application and responded to questions, from Members, the Legal Advisor, and the Principal Licensing Officer. In their statement and responses, the Applicant clarified that they did not drive the vehicle and further explained that:-

- the dent in the vehicle had been caused by a third party;
- the vehicle was serviced every 10,000 miles.

Members commented on the vehicle's MOT history and maintenance and recommended the use of a log book for any vehicles going forward.

RESOLVED that the application for the renewal of a Private Hire Vehicle licence be granted for 2 (two) months.

(The meeting commenced at 10.00 am and closed at 11:11)

Chair