

## **LICENSING SUB-COMMITTEE**

Wednesday 28 February 2024

### Present:

Councillors Asvachin, Holland and Snow

### Also Present:

Legal Advisor, Apprentice Solicitor, Principal Licensing Officer and Democratic Services Officer

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### **APPOINTMENT OF CHAIR**

Councillor Holland was appointed as Chair for this meeting.

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### **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

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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.

### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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### **APPLICATION FOR RENEWAL OF A LICENCE RELATING TO A HACKNEY CARRIAGE VEHICLE OVER 8 YEARS OLD**

The Chair introduced the Sub-Committee Members and Officers.

The Apprentice Solicitor set out the procedure for the hearing advising of the requirements under Section 37 of the Town Police Clauses Act 1847, Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976. He also referred to the criteria for granting Hackney carriage vehicle licences, in the Taxi Policy which stated that vehicles presented for renewal that are more than eight years old would be referred to the Licensing Sub Committee for determination.

In response to a question from the Legal Advisor, the Licensing Officer confirmed that the inspection and required checks had taken place.

The Licensing Officer presented the application for a licensed driver to renew a Hackney Carriage Vehicle licence in relation to a four-passenger vehicle, which was over nine years old at the renewal date, together with the MOT History. The Applicant had submitted a current vehicle MOT certificate, an independent mechanical inspection report and photographs of the vehicle. The vehicle was also inspected by a Licensing Officer who reported on its condition.

The Applicant, who was in attendance, spoke in support of the application and

responded to questions, from Members, the Legal Advisor and Apprentice Solicitor relating to the service history and the vehicular checks made. It was noted that the seat covers had been replaced and remedial works to the bodywork had been carried out.

**RESOLVED** that the application for the renewal of a Hackney Carriage Vehicle licence be granted for 12 months, subject to:

- 1.) the defects identified by the Licensing Authority and works identified in the advisory notice be carried out with the evidence sent to the Licensing Authority;
- 2.) an MOT should be carried out after six months and evidence provided to the Licensing Authority.

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**APPLICATION FOR RENEWAL OF A LICENCE RELATING TO A HACKNEY CARRIAGE VEHICLE OVER 8 YEARS OLD**

The Chair introduced the Sub-Committee Members and Officers.

The Apprentice Solicitor set out the procedure for the hearing advising of the requirements under Section 37 of the Town Police Clauses Act 1847, Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976. He also referred to the criteria for granting Hackney Carriage vehicle licences, in the Taxi Policy which stated that vehicles presented for renewal that are more than eight years old would be referred to the Licensing Sub Committee for determination.

The Principal Licensing Officer presented the application to renew a Hackney Carriage Vehicle licence in relation to a four-passenger vehicle which was over 8 years old at the renewal date. The Applicant had submitted a current vehicle MOT certificate, an independent mechanical inspection report and photographs of the vehicle. He explained that a copy of the MOT history was not included with the agenda but had been submitted. The vehicle was also inspected by a Licensing Officer who reported on its condition.

The Applicant was in attendance and spoke in support of the application and responded to questions, from Members, the Apprentice Solicitor, and the Licensing Officer. He explained that the car was subject to a service undertaken every 10,000 miles or every three months and six-monthly vehicular checks. It was suggested that the Applicant check the Council's taxi licensing policy before they changed their vehicle.

**RESOLVED** that the application for the renewal of a Hackney Carriage Vehicle licence be granted for 12 months, with regular vehicle health checks to continue.

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**APPLICATION FOR RENEWAL OF A LICENCE RELATING TO A PRIVATE HIRE VEHICLE OVER 9 YEARS OLD**

The Chair introduced the Sub-Committee Members and Officers.

The Apprentice Solicitor 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. He referred to the Taxi Policy and explained that vehicles presented for renewal aged between nine and ten years old would be referred to the Licensing Sub-Committee, to be considered for determination if they considered that their circumstances justified a deviation from the Policy.

The Principal Licensing Officer presented the application to renew a Private Hire Vehicle licence in relation to a seven-passenger vehicle, which was over nine years old at the renewal date, together with the MOT History. The Applicant had submitted a current vehicle MOT certificate, an independent mechanical inspection report and photographs of the vehicle. The vehicle was also inspected by a Licensing Officer who reported on its condition.

The Applicant was in attendance and spoke in support of the application and responded to questions, from Members, the Apprentice Solicitor, and the Principal Licensing Officer. The Applicant explained the maintenance regime, which included a forthcoming vehicle service and the varied nature of the journeys made and individual demand for the wheelchair accessible vehicle.

**RESOLVED** that the application for the renewal of a Hackney Carriage Vehicle licence be granted, by exception, for a period of nine months until 17 December 2024.

(The meeting commenced at 10.00 am and closed at 12.00 pm)

Chair