

LICENSING SUB-COMMITTEE

Wednesday 10 December 2025

Present:

Councillors Banyard and Holland

Also Present:

Legal Advisor, Principal Licensing Officer, Apprentice Solicitor, Democratic Services Officer (JM) and Licensing Officer.

43

APPOINTMENT OF CHAIR

Councillor Banyard was appointed as Chair for this meeting.

44

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

45

APPLICATION TO RENEW PRIVATE HIRE VEHICLE LICENCE OVER 9 YEARS OLD

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

The Licensing Officer presented the report for an application to renew a licence in relation to a Private Hire BMW 320 Series which was over 9 years old. The vehicle was first registered on 16th June 2016. The Applicant submitted a current MOT dated 23rd October 2025 which a milage of 296,180. An independent mechanical inspection report was also submitted, dated 28th October 2025, along with photographs of the vehicle. The vehicle was inspected by a council officer and was found to be in good visual condition.

The Applicant spoke in support of his application making the following comments:

- the vehicle was in very good condition;
- it was Euro 6 compliant; and
- he could not see any reason to change it as it was perfect for the work.

In response to questions from Members, the Legal Advisors and the Licensing Officers, the Applicant made the following comments:

- the vehicle was purchased in 2023;
- he mostly worked doing school runs and evening shifts as he was working somewhere else part time;
- the brake pads had been changed;
- full services were carried out after 15,000 miles;
- he already had plans to purchase an electric car in the future;
- the interior of the car was checked daily before starting work; and
- he felt that the car would show when there was a significant issue.

In summing up the application, the Applicant told the Panel that the car was perfect for the job, and the brakes had been noisy but that had been addressed and resolved recently.

RESOLVED that the application for the renewal of a licence relating to a Private Hire Vehicle over 9 years old be approved for 12 months, subject to the condition that the vehicle will have an MOT every six months and that this must be evidenced to the Council's Licensing Department.

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

Following discussion, it was determined that the applications under items 4,5, and 6 on the agenda would involve the disclosure of exempt information as defined in Paragraph 1 of Part 2, Schedule 12A of the Local Government Act on 1972, so the meeting should move to Part 2 and the press and public be excluded from the meeting.

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 and 2 of Part I, Schedule 12A of the Act.

47 **TO DETERMINE IF THE APPLICANT IS A FIT AND PROPER PERSON TO
HOLD A PRIVATE HIRE OPERATOR'S LICENCE.**

The Chair introduced the 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 Private Hire Operators Licence.

The Apprentice Solicitor set out the procedure for the hearing and the provisions of Section 55 of the Local Government (Miscellaneous Provisions) Act 1976.

The Apprentice Solicitor stated that the evidential burden was on the Applicant to prove he was a fit and proper person to hold a Private Hire Operator's Licence.

The Principal Licensing Officer presented their report to the Sub-Committee.

The Applicant spoke in support of their application and answered questions from Members, Licencing Officers, and the Legal Advisors.

RESOLVED that the Licensing Sub-Committee were not satisfied that the Applicant was a fit and proper person to hold a Private Hire Operator's Licence and that the application would be refused.

TOWN POLICE CLAUSES ACT 1847

48 **HEARING TO DETERMINE WHETHER A HOLDER OF A HACKNEY CARRIAGE
/ PRIVATE HIRE DRIVERS LICENCE IS A FIT AND PROPER PERSON TO
HOLD A THE LICENCE**

The Chair introduced the Sub-Committee Members and Officers. The Licensed Driver had ben referred to the Licensing Sub-Committee to determine if he was a fir and proper person to hold a licence to drive a Hackney Carriage / Private Hire Vehicle.

The Apprentice Solicitor set out the procedure for the hearing and the provisions of

Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Apprentice Solicitor stated that the evidential burden was not on the Licenced Driver to prove he was fit and proper but for the Licensing Sub-Committee to be satisfied on the balance of probabilities that the Licensed Driver was no longer a fit and proper person.

The Licensing Officer presented the report to the Sub-Committee.

A statement was given by a witness, which was accepted as true and accurate by the Licenced Driver.

The Applicant spoke in support of the application and answered questions from Members, the Licensing Officers, and the Legal Advisors.

RESOLVED that the Licensing Sub-Committee was satisfied that the Licensed Driver was a fit and proper person to hold a driver's licence for a Hackney Carriage / Private Hire Vehicle but a written warning and 6 penalty points would be issued in accordance with the Council's Taxi Policy.

49 **HEARING TO DETERMINE WHETHER A HOLDER OF A HACKNEY CARRIAGE
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The Apprentice Solicitor set out the procedure for the hearing and the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Apprentice Solicitor stated that the evidential burden was not on the Licensed Driver to prove he was fit and proper but for the Licensing Sub-Committee to be satisfied on the balance of probabilities that the Licenced Driver was no longer a fit and proper person.

The Applicant spoke in support of their application and answered questions from Members, Licensing Officers, and the Legal Advisors.

RESOLVED that the Licensing Sub-Committee was satisfied that the Licensed Driver was a fit and proper person to hold a driver's licence for a Hackney Carriage / Private Hire Vehicle but a written warning and 6 penalty points would be issued in accordance with the Council's Taxi Policy. The Licenced Driver also must attend a speed awareness course as agreed with the Principal Licensing Officer and provide evidence of attendance.

(The meeting commenced at 10.00 am and closed at 1.39 pm)

Chair