

LICENSING SUB-COMMITTEE

Date: Wednesday 10 December 2025

Time: 10.00 am

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Josie McDonald, Democratic Services Officer on 01392 265354 or email democratic.services@exeter.gov.uk

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

Membership - To be confirmed.

Agenda

Part I: Items suggested for discussion with the press and public present

1 Appointment of Chair

To appoint a Chair for the meeting.

2 Declarations of Interest

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

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

It is considered unlikely that the Committee would wish to exclude the press and public during consideration of the items on this agenda. If, however, the Committee were to exclude the press and public, a resolution in the following form should be passed:

"RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s) on the grounds that it (they) involve the likely disclosure of exempt information as defined in paragraph(s) of Part I of Schedule 12A of the Act."

To pass the following resolution:

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for items and on the grounds that if involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part I of Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

4 Application to Renew Private Hire Vehicle licence over 9 years old

To consider the report of the Head of Service - Environment and Waste. (Pages 3 - 94)

Part II: Item suggested for discussion with the press and public excluded

To Determine if the Applicant is a Fit and Proper Person to Hold a Private Hire Operator's Licence.

To consider the report of the Head of Service – Environment and Waste. (Pages 95 - 134)

TOWN POLICE CLAUSES ACT 1847

6 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

To consider the report of the Head of Service - Environment and Waste. (Pages 135 - 140)

7 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

To consider the report of the Head of Service - Environment and Waste. (Pages 141 - 158)

Individual reports on this agenda can be produced in other formats on request to Democratic Services on 01392 265354.

Agenda Item 4

REPORT TO LICENSING SUB COMMITTEE

Date of Hearing: 10 December 2025

Report of: Head of Environment and Waste

Type of Application: RENEWAL of a licence relating to a Private Hire vehicle over 9 years

old.

Legislation: Local Government (Miscellaneous Provisions) Act 1976

Town Police Clauses Act 1847

1. What is the report about?

1.1 An application has been received from the Applicant, a licensed taxi driver seeking permission for the renewal of a Private Hire vehicle licence for a vehicle which is over 9 years old at the renewal date. The vehicle will be 10 years old on 16th June 2026. This is a matter that cannot be dealt with under delegated powers.

2. Background:

2.1 The vehicle that is being presented for licensing as a Private Hire vehicle is a 4 passenger BMW 320 Series registration number with the passenger BMW 3

3. Report Details:

- 3.1 The vehicle has a current MOT certificate dated 23rd October 2025 and expires 22nd October 2026. The mileage recorded at the MOT inspection was 296,180 miles. The MOT certificate and history are attached as <u>Appendix C</u>. The MOT history shows that the vehicle has failed three times since first licensed in November 2018. In addition to the MOT certificate there is an independent mechanical inspection report, which has been submitted, this is dated 28th October 2025 and is attached as Appendix D. Evidence of vehicle insurance is attached as Appendix E. Photos for the vehicle are attached at <u>Appendix F</u>. Upon inspection by a Council Officer the vehicle was found to be in good visual condition.
- 3.2 The Licensing Sub-Committee must have regard to the Council's the Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators and the Code of Conduct for Licensed Drivers ('Taxi Policy')
- 3.3 Vehicles presented for renewal that are between 9 and 10 years old will be referred to the licensing sub-committee for determination.

3.4 Vehicles presented for renewal that are more 10 years old, 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 that their particular circumstances justify a deviation from the existing Policies.

4. What are the legal aspects?

4.1 Section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976 ('the Act') states that a district council may on receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied-

- a) that the vehicle is-
- suitable in type, size and design for use as a private hire vehicle;
- ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;
- iii) in a suitable mechanical condition;
- iv) safe; and
- v) comfortable;
- b) that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988, and shall not refuse such a licence for the purpose of limiting the number of vehicles in respect of which such licence are granted by the council.
- 4.2 Under Section 48(4)(c) of the Act the Licensing Sub-Committee may grant a licence for a maximum period of 12 months.
- 4.3 Any person aggrieved by a refusal of the Licensing Sub-Committee to grant a vehicle licence under Section 48 of the Act may appeal to the Magistrates Court within 21 days of receiving written notice of the refusal.

5. Recommendations:

5.1 The Licensing Sub-Committee are asked to determine the application having regard to current policy.

Service Lead - Environment and waste

Author: Julie Bennett

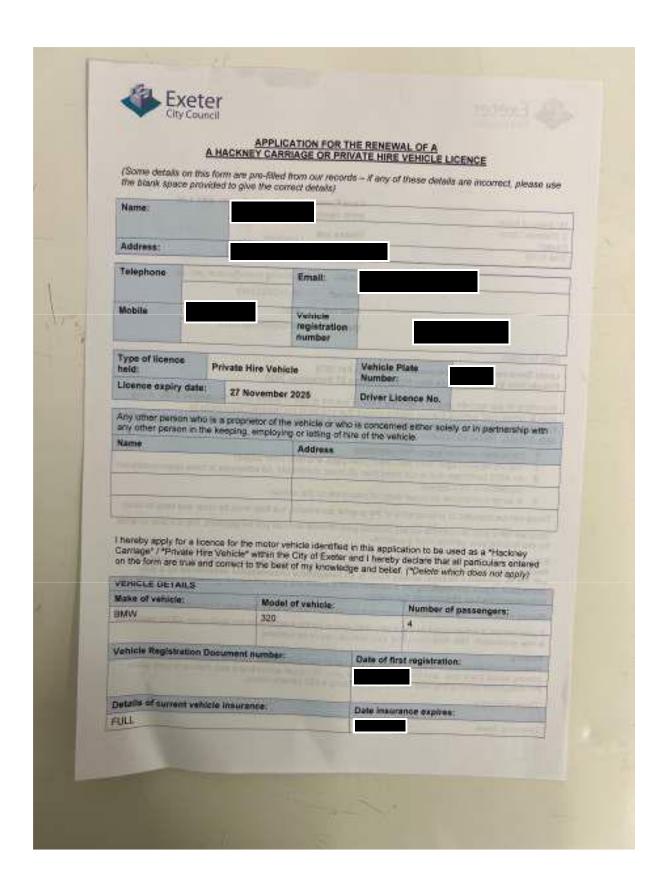
Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-None

Contact for enquires: Democratic Services (Committees) Room 4.36 01392 265275



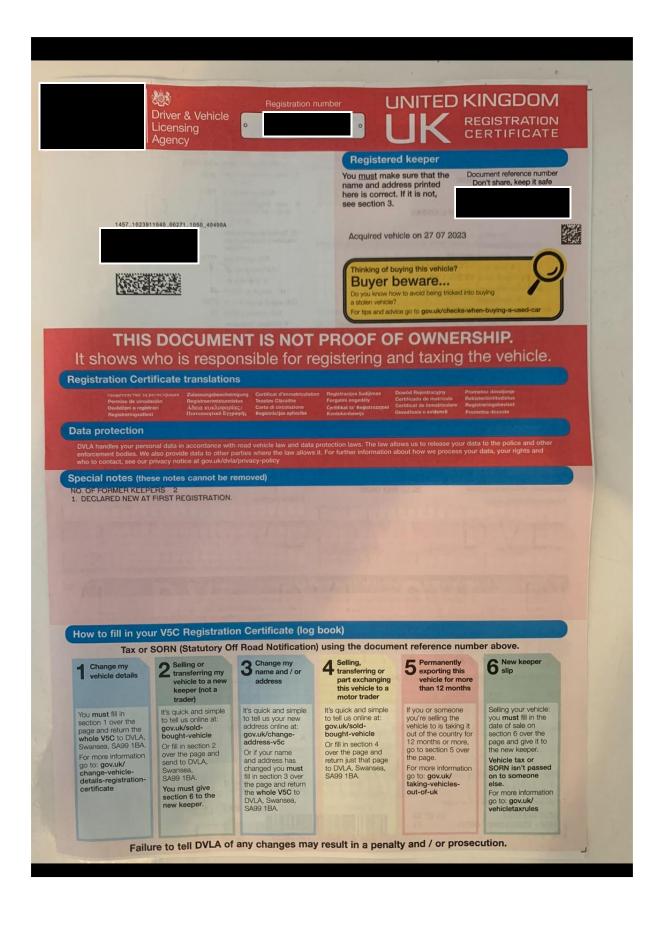
APPENDIX A

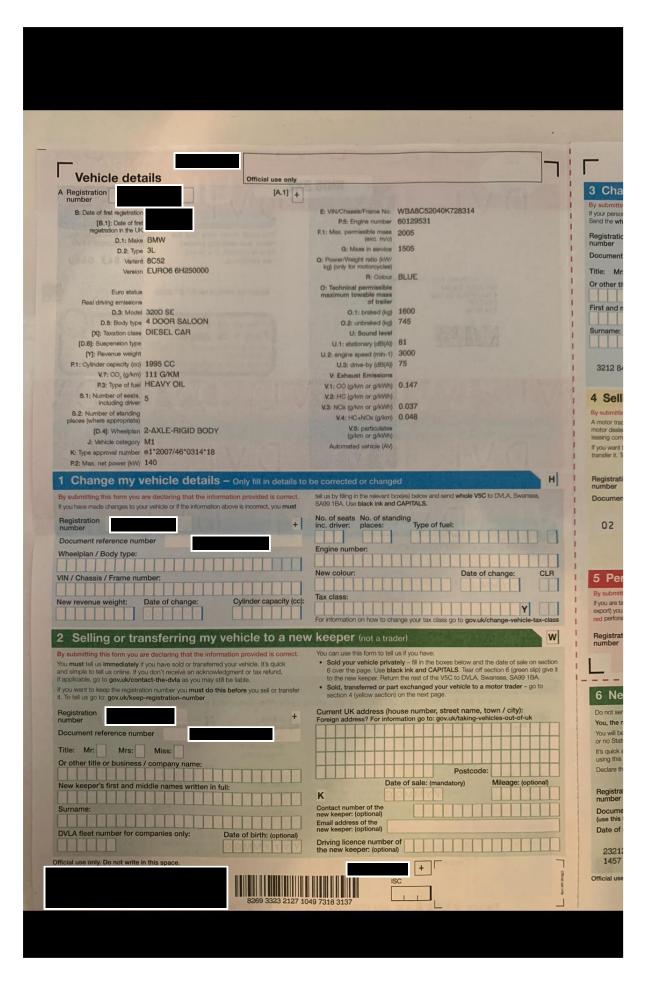


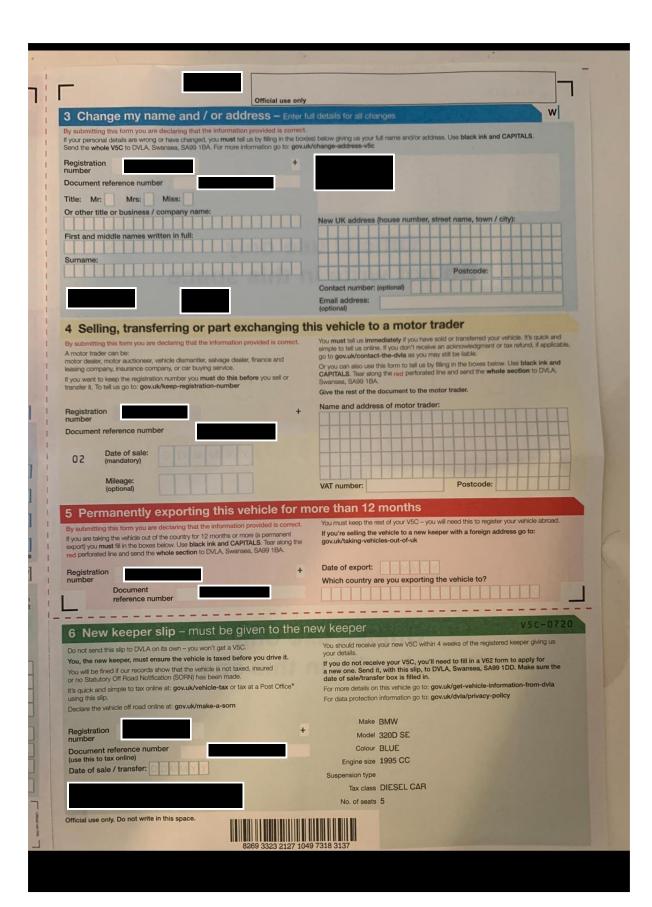
	The second services	THE PARTY	Town	THE	
Where will the vehicle be k not in use? (address):	ept when			Jambiona	
		rommerson-		STATE OF STREET	DESTRUCTION OF
					at many
In respect of Private Fire Veh be operated?	sicles, by which Opera	ator, and from wi	let address v	ill the Private H	ire Vahicle
Name of Operator:					-
Address of Operator:				NECT-REAL	100
When an application involve	on the exhest war				
When an application involve please answer the following	questions:	e exchange of	in existing v	ehicle by a nev	w one,
Will the replaced vehicle cont Hira/Hackney Carriage vehicle	inue to be used as a D	cenced Private		YES	NO
If NO, please specify reason: (i.e. private use, taken off road, etc.)	and the same				
If continuing to be used as a Licenced vehicle, please give name and address of new owner.	THE CHAPTER I		+101	Sin	E A PE
Make of existing licenced vehicle	BMW		410	-	estant of
Registration number of existing licenced vehicle				11	
Lunderstand that omissions or or revocation and render me l	incorrect statements	will render the 1	nenna if nean	ford Habba to	The state of the s
or revocation and render me is I have been given a copy of the	ones in prosequinist			THE PARTY NAMED IN	spension
The same given a cupy or in	e conditions relating to	o this Licence			
SIGNED	261111	DATE	0 20-	0.25	
See over for nates		117518816	00000000	********	-



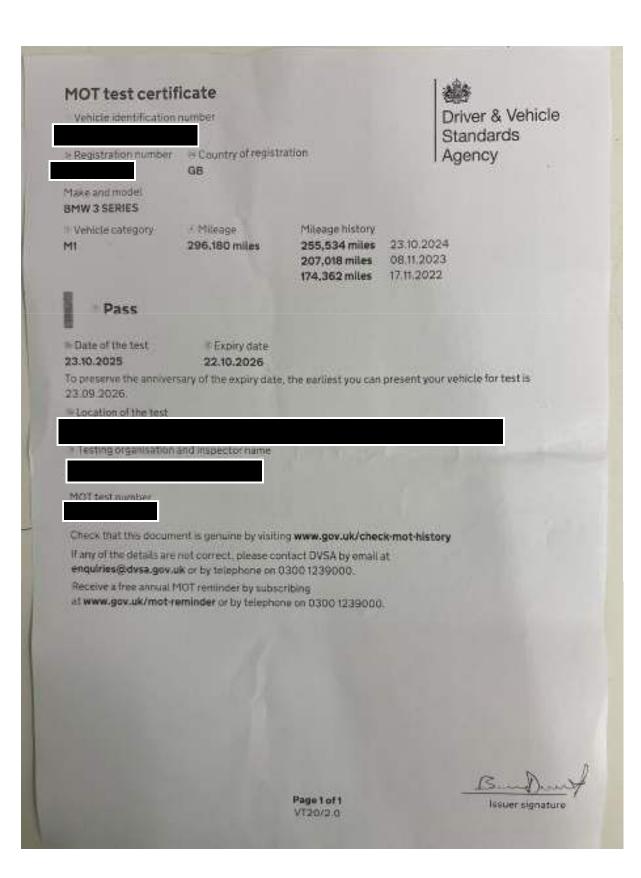
APPENDIX B







APPENDIX C





Check MOT history

Help us make this service better. Give us your feedback (https://www.smartsurvey.co.uk/s/GIZZX? vrm=WN16BXZ&make_result=BMW&model_result=3+SERIES&mot_first_used_date=2016-03-19&vehicle_age=3513&mot_expiry_date=2026-10-

22&mot expiry date days left=356&user satisfaction banner=0&vehicle data origin=MTS&vehicle type=LGV).

< Back

We need your help

Help us improve this service. Complete a quick survey.

BMW 3 SERIES

Check another vehicle (/)

Colour Fuel type Date registered

Blue Diesel 19 March 2016

MOT valid until

22 October 2026

Get an MOT reminder (https://www.gov.uk/mot-reminder) by email or text.

Download test certificates (/enter-document-reference?registration=WN16BXZ)

You can get information corrected on your MOT history (https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes) (such as mileage or vehicle details) if it's wrong.

Show all sections

MOT history

Check mileage recorded at test, expiry date, and test outcome

A Hide

Date tested 23 October 2025

Mileage 296,180 miles

MOT test number

PASS

Test location

View test location

Expiry date
22 October 2026

Date tested 23 October 2024

PASS

Mileage 255,534 miles

Test location

View test location

MOT test number

Expiry date

Date tested **8 November 2023**

PASS

Mileage 207,018 miles

Test location

View test location

MOT test number

Expiry date

Date tested 17 November 2022

PASS

Mileage 174,362 miles

Test location

View test location

MOT test number

Expiry date

Monitor and repair if necessary (advisories):

- Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))
- What are advisories?

Date tested

17 November 2022



Mileage 174,361 miles

Test location

View test location

MOT test number

Do not drive until repaired (dangerous defects):

 Nearside Rear Tyre tread depth below requirements of 1.6mm (5.2.3 (e))

Repair immediately (major defects):

• Nearside Headlamp aim too high (4.1.2 (a))

Monitor and repair if necessary (advisories):

- Offside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))
- Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))
- What are defects and advisories?

Page 18

Date tested **16 November 2021**

PASS

Mileage 139,450 miles

Test location

View test location

MOT test number

Expiry date

Date tested

16 November 2021

FAIL

Mileage 139,449 miles MOT test number

Test location

View test location

Repair immediately (major defects):

- Tyre pressure monitoring system malfunctioning or obviously inoperative (5.2.3 (h))
- Offside Headlamp aim projected beam image is obviously incorrect bulb (4.1.2 (c))

Monitor and repair if necessary (advisories):

- Nearside Rear Brake disc worn, pitted or scored, but not seriously weakened (1.1.14 (a) (ii))
- Offside Rear Brake disc worn, pitted or scored, but not seriously weakened (1.1.14 (a) (ii))
- Nearside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))
- What are defects and advisories?

Date tested **17 November 2020**

PASS

Mileage 112,712 miles MOT test number

Test location

Expiry date

View test location

Monitor and repair if necessary (advisories):

- Nearside Rear Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))
- Offside Rear Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))
- What are advisories?

Date tested

17 November 2020

FAIL

Mileage 112,710 miles

MOT test number

Test location

View test location Page 19

Do not drive until repaired (dangerous defects):

 Nearside Rear Tyre tread depth below requirements of 1.6mm (5.2.3 (e))

Repair immediately (major defects):

 Offside Front Body component damaged and likely to cause injury Fog light broken (6.2.1 (a) (i))

Monitor and repair if necessary (advisories):

- Nearside Rear Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))
- Offside Rear Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))
- ▶ What are defects and advisories?

Date tested **25 November 2019**

PASS

Mileage 89,753 miles

Test location

View test location

MOT test number

Expiry date

Monitor and repair if necessary (advisories):

- Nearside Rear Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))
- Offside Rear Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))
- What are advisories?

Date tested 18 March 2019

PASS

Mileage **59,349 miles**

Test location

View test location

MOT test number

Expiry date

Monitor and repair if necessary (advisories):

- Offside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))
- Nearside Rear Tyre worn close to legal limit/worn on edge (5.2.3 (e))
- What are advisories?

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity - dangerous, major, and minor. Find out more (https://www.gov.uk/government/news/mot-changes-20-may-2018).

Check for vehicle recalls

See if BMW 3 SERIES has outstanding recalls

Show



<u>Cookies</u> <u>Terms and conditions</u> <u>Privacy notice</u> <u>Accessibility statement</u> <u>MOT history API</u> <u>Service status</u>

Built by the <u>Driver & Vehicle Standards Agency</u>

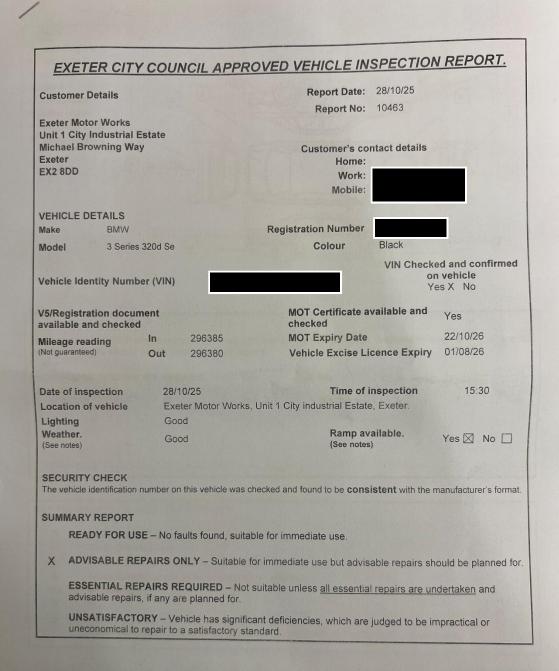
OGL

All content is available under the <u>Open Government</u> <u>Licence v3.0</u>, except where otherwise stated

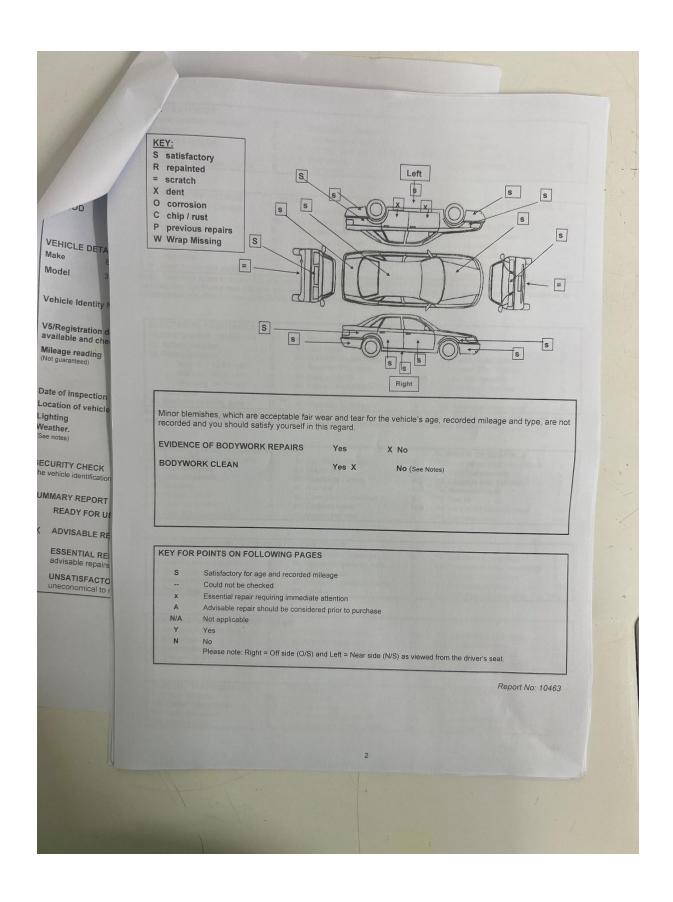
© Crown copyright

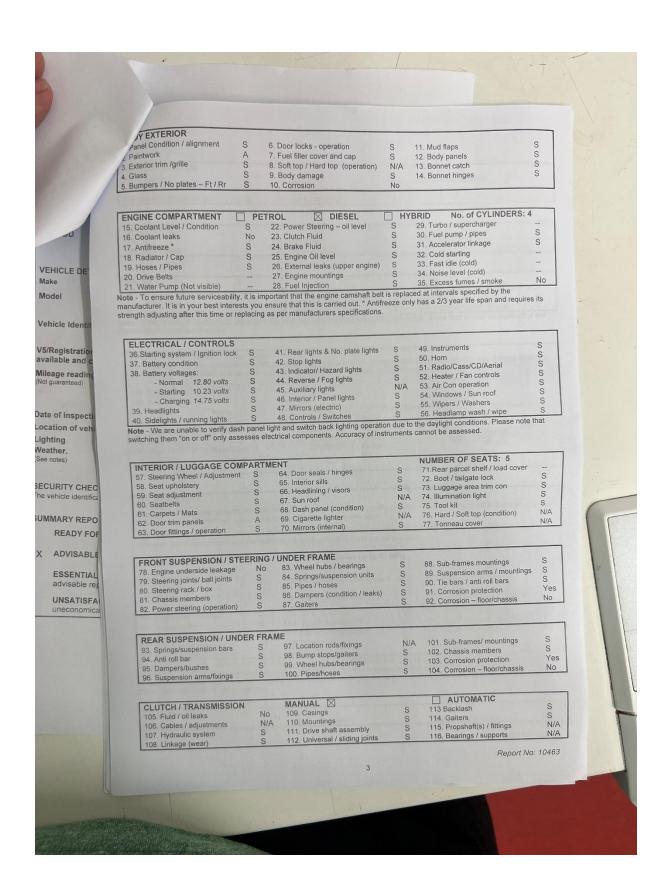


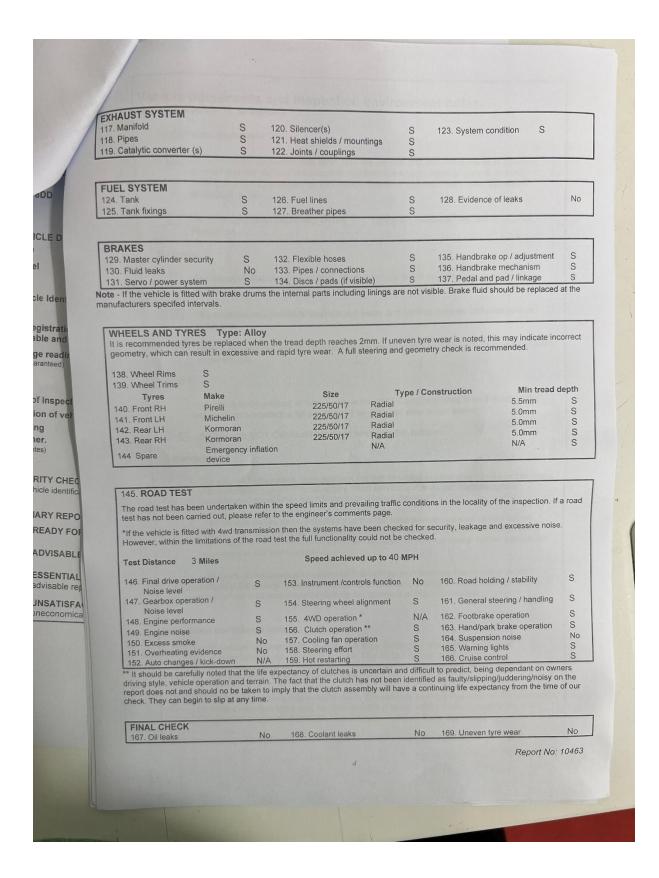
APPENDIX D



Please read all pages of this report

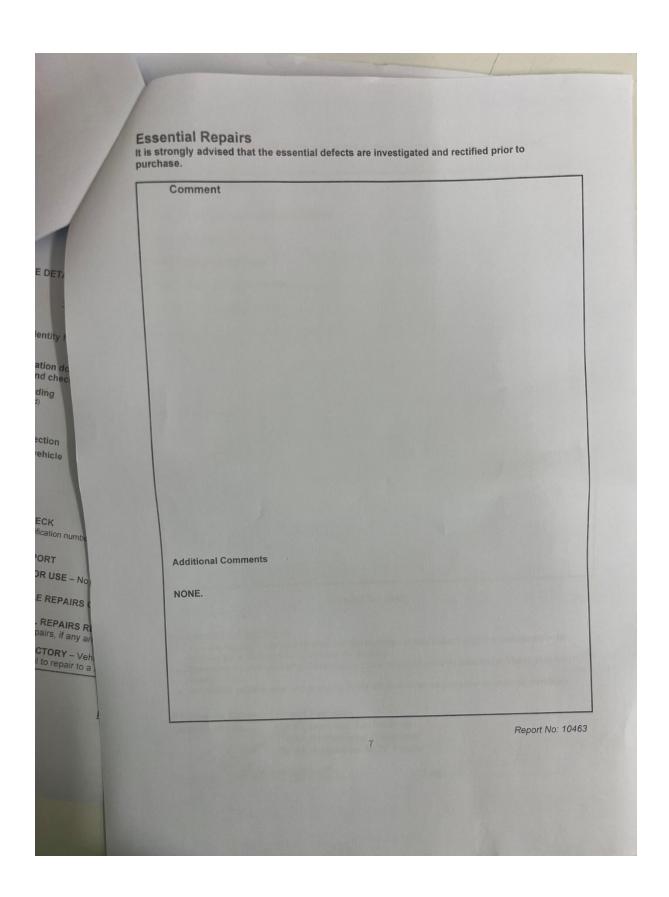


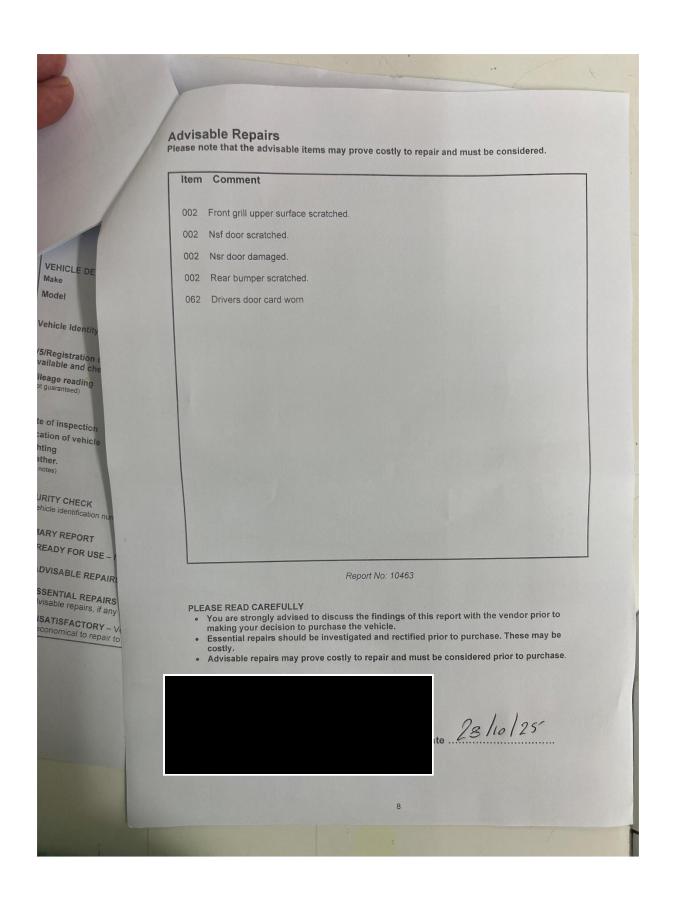




Vehicle documents and Inspection environment notes.
Registration Document (V5):
No registration document was seen with the vehicle and you are advised to satisfy yourself that the vehicle identification number and engine number (where quoted) correspond to those shown on this report. Warning: DO NOT BUY ANY VEHICLE WITHOUT A V5.
The V5/Registration Document shows previous keeper(s), the last change of Keeper on
Security:
The Master Key was not available. Please ensure this is supplied if the vehicle is purchased.
The engineer recommends that relevant spare and service keys be obtained prior to purchase.
Obtain hand books and radio codes for vehicle prior to purchase as these were not seen in the vehicle.
MOT:
As only a small amount of time is left on the MOT Certificate (less than 3 months) the engineer recommends a full year's MOT be obtained prior to purchase.
Servicing:
The service history seen, indicated that the last recorded service was carried out at miles. No immediate servicing is necessary. Next service is due as per manufacturer's recommendations or as per the Vehicles Service indicator.
The service history seen, indicated that the last recorded service was carried out on miles. Therefore the engineer would suggest a full service and brake inspection to the manufacturer recommendations prior to purchase, which may reveal further defects not
apparent at this examination.
No service documentation seen with this vehicle and therefore the engineer would recommend a full service and brake inspection to the manufacturer's recommendations prior to purchase, which may reveal further defects not apparent at this examination.
Inspection conditions notes:
Inspection conditions notes: No vehicle hoist/ramp was available. A large trolley jack and stands were used in order to carry out underside checks. This limits the view of the underside. Some areas could not be fully seen. There may be further defects, which may be visible given clear access and view.
The body/paintwork was wet/dirty/dusty this severely restricts inspection of the paintwork. Please note that there may be other defects present, which were not visible due to the obscured paintwork, but which may become visible once dry and clean.

Engineers Comments The vehicle is considered overall to be a fair and reasonable example of the type, being in a generally reasonable condition and generally considered to be consistent with the type for the age and indicated recorded mileage in most areas. The items listed as "could not be checked" (---) normally indicate items were obscured by covers/shields or other equipment. The Water pump - Engine drive belt/chain - these items could not been fully examined, as CLE DETA covers, trims and other equipment obscure them. The cooling system was pressure tested to 0.7 bars, no pressure loss was noted on the system or pressure cap. The antifreeze concentration was acceptable, but has deteriorated from its original strength and at the next routine service may need to be refreshed/replaced. It is advised that the coolant strength be checked again at the next routine service. Antifreeze only has a 2/3e Identity year life and requires its strength adjusting after this time or replacing as per manufacturer's specifications. istration The vehicle is fitted with vented front brake disc and pads, supported at the rear by a single arrangement. Although the visible brakes only show some signs of general serviceable wear, some deterioration is noted, which will need attention in the near future. It is strongly advised to remove all road wheels and examine the inner brake components, which are obscured on this le and ch reading vehicle prior to purchase, replacing any worn or badly corroded parts. It is probable that the front brakes at least, will need to be replaced at the next routine service. nspection of vehicl The steering & suspension has been assessed to MOT standard. This allows for a degree of wear and deterioration of components without rendering them unserviceable. The extent of wear is not considered excessive at this juncture and unlikely to attract MOT failure. The road test distance and or top speed was limited due to the general area/inspection location, and/or traffic levels and/or adverse weather conditions and/or lack of fuel when the vehicle was tested and driven. Comment cannot be made in these instances in relation to possible "high speed" or "sustained speed," related driving defects, which may become apparent at a later Y CHECK identification stage after any purchase due to these limiting conditions. REPORT DY FOR US SABLE RE NTIAL RE able repairs TISFACTO nomical to r Report No: 10463







APPENDIX E

CERTIFICATE OF MOTOR INSURANCE

1. Registration mark of vehicle

Certificate Number

2. Make and Model of Vehicle

BMW 320D SE

3. Name of Policyholder

4. Effective date of commencement of insurance for the purposes of the relevant law.

00:00 18/08/2025

5. Date of expiry of insurance

23:59 17/08/2026

6. Persons or classes of persons entitled to drive.

Those specified below, provided that the person driving holds a licence to drive the vehicle or has held and is not disqualified from holding or obtaining such a licence.

The Insured Only

7. Limitations as to use subject to the exclusions below.

Private Hire

Use for social domestic and pleasure purposes and for the carriage of passengers and/or goods for hire and reward by arrangement prior to the commencement of the period of hire.

Excluding: standing or plying for hire, racing, pacemaking, speed testing, competitions, rallies, trials or use for any purpose in connection with the Motor Trade.

Further excluding: Use to secure the release of a motor car, other than the vehicle identified above by its registration mark, which has been seized by, or on behalf of, any government or public authority.

We hereby certify that the insurance to which this Certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland, the Isla of Man, the Island of Guernsey, the Island of Jersey and the Island of Alderney.

Eridge Underwriting Agency Ltd are authorised and regulated by the Financial Conduct Authority. FCA Firm Reference Number 754644

AUTHENTICATED as authorised agent on behalf of the Insurer

John Hamilton Managing Director Eridge Underwriting Agency Ltd Uk Administrator: Eridge Underwriting Agency Ltd Office Address: PO Box 726 Tonbridge TN9 9WB

NOTE: For full details of the insurance cover reference should be made to the Policy.

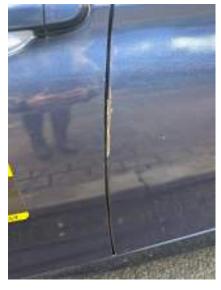
ADVICE TO THIRD PARTIES. Nothing contained in this certificate affects your right as a Third Party to make a claim.

Warning: This certificate has been prepared using a laser printer and is not valid if altered in any way. For change of vehicle or termination of insurance - Refer to your policy schedule



Agency No: 1070 Client Ref: ISIX01TX03

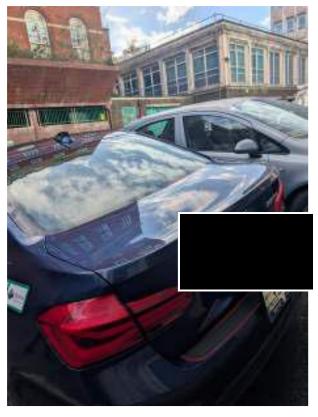
APPENDIX F

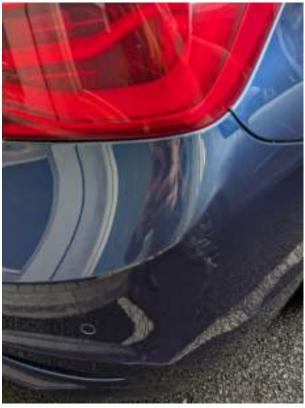


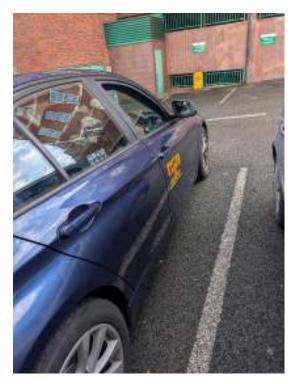








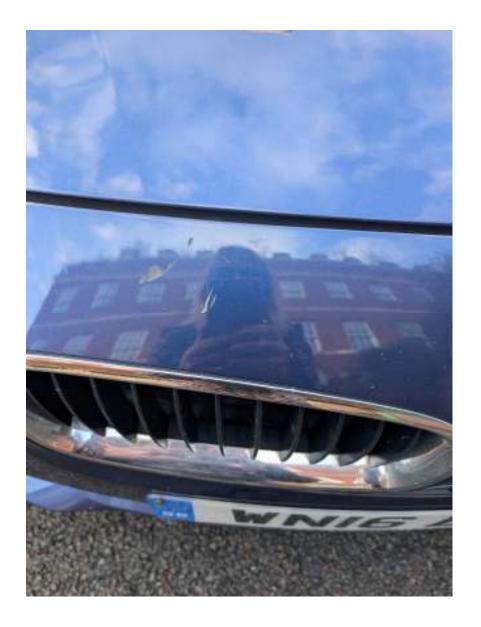


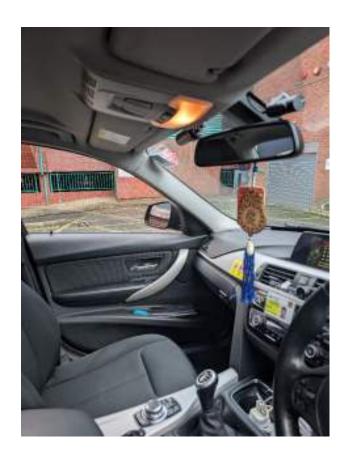


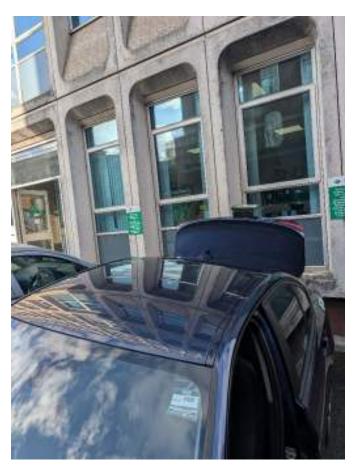


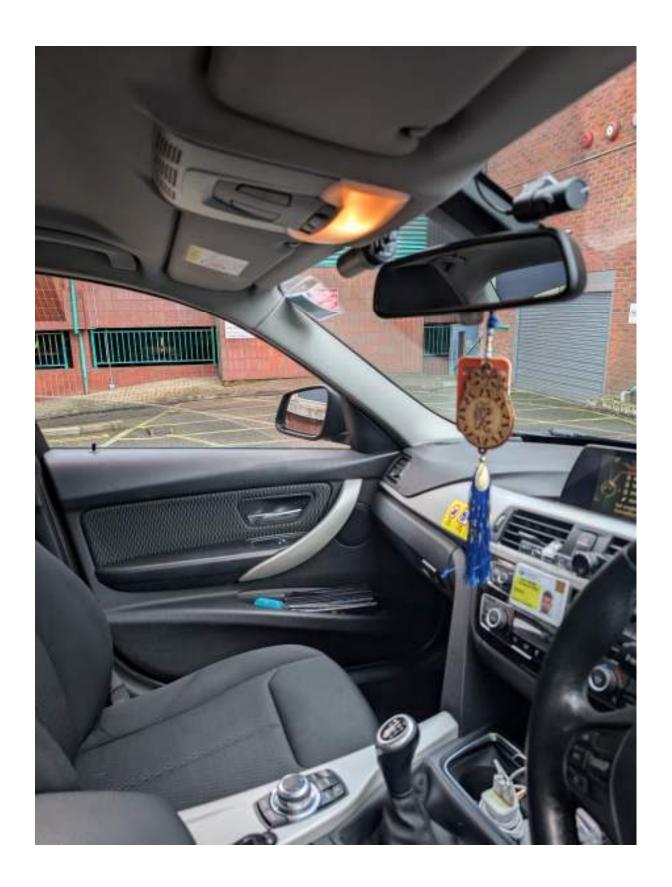


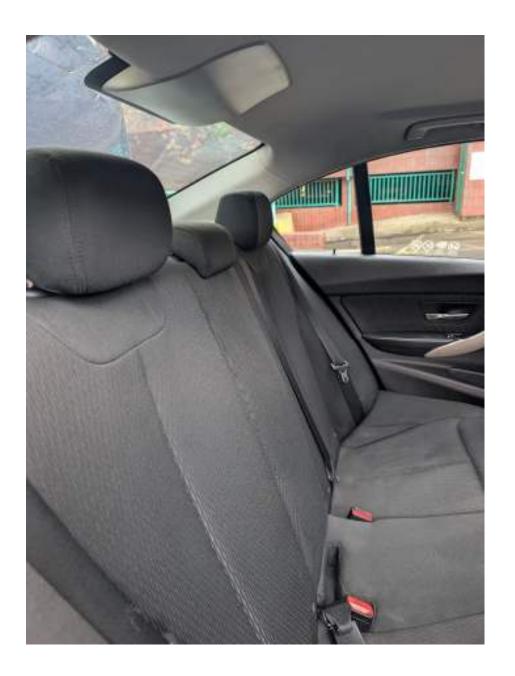


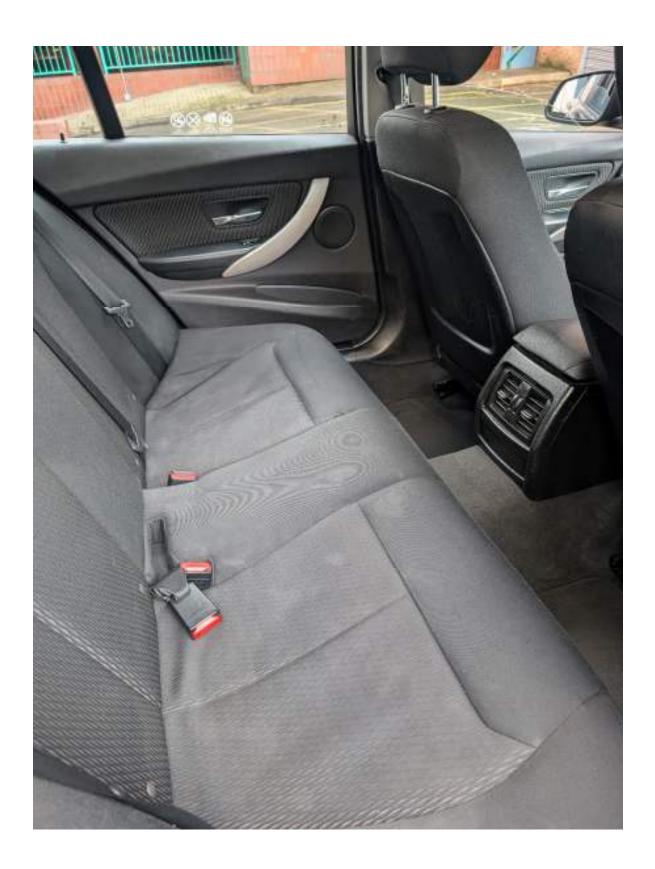


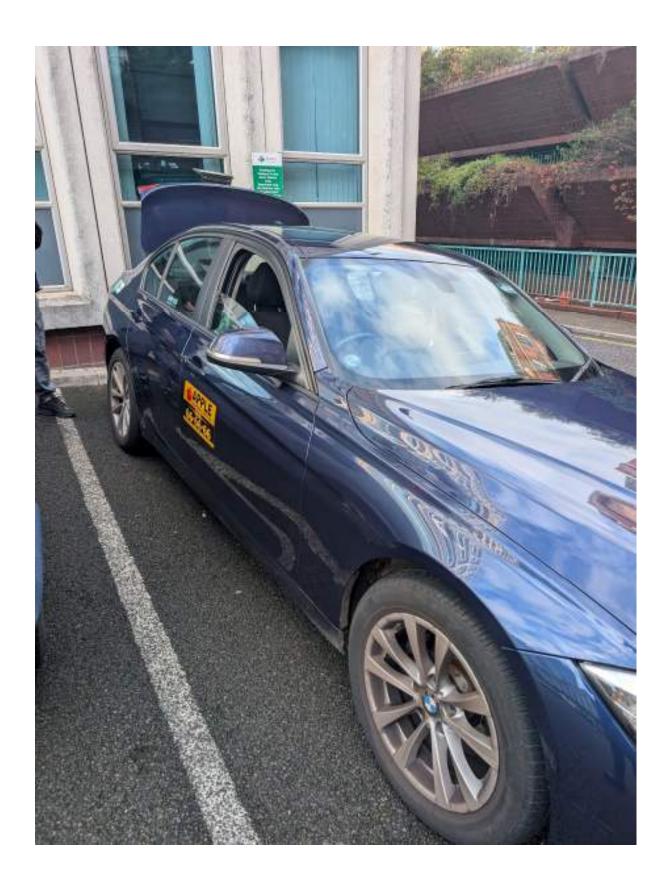


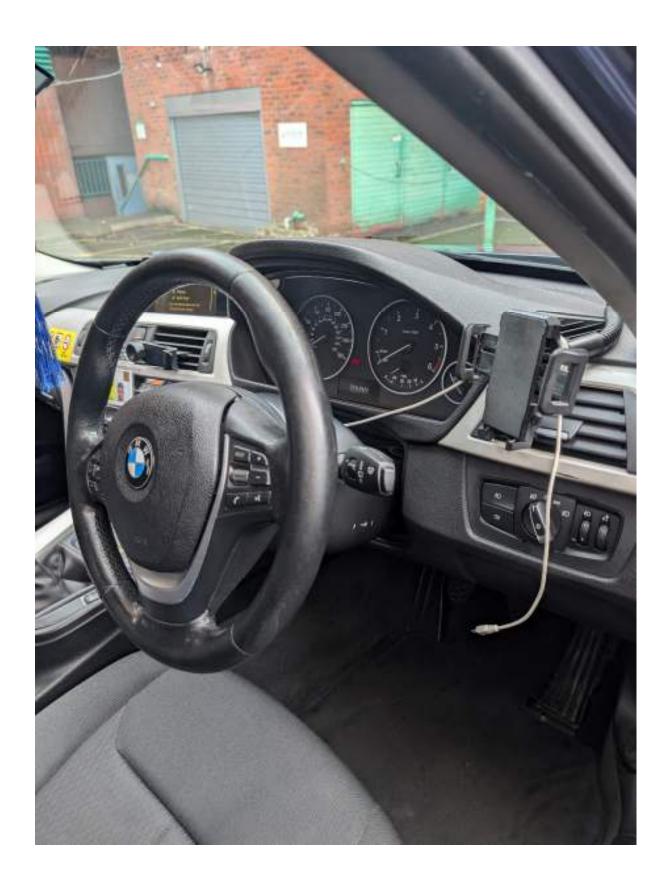




























Agenda Item 5

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.











Agenda Item 6

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.





Agenda Item 7

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.







