

LICENSING SUB-COMMITTEE

Wednesday 15 April 2026

Present:

Councillors Darling, Holland and Williams, R

Also Present:

Legal Services Manager, Legal Officer (Litigation and Debt Enforcement), Principal Licensing Officer, Licensing Officer (GP), Licensing Officer and Democratic Services Officer

76

APPOINTMENT OF CHAIR

Councillor Holland was appointed as Chair for this meeting.

77

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

78

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

The Members determined that no items on the agenda contained exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Local Government Act 1972, and there was no need to exclude the press and public from the meeting.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

79

APPLICATION TO RENEW HACKNEY CARRIAGE VEHICLE LICENCE OVER 9 YEARS OLD

The Chair introduced the Members of the Licensing Sub-Committee and the Officers.

The Legal Officer (Litigation and Debt Recovery) set out the procedure for the hearing, advising on the Council's policy and the provisions of Section 37 of the Town Police Clauses Act 1847 and Section 47 of the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Officer presented the report for the application to renew a licence in relation to a Hackney Carriage Peugeot Horizon, a wheelchair accessible vehicle ('WAV'), which was over nine years old. The vehicle was first registered on 19 September 2016.

The Applicant submitted a current MOT dated 24 February 2026, which recorded a mileage of 173,719 miles. The vehicle had been inspected by a council officer and was found to be in reasonable condition for the age. The vehicle had been licenced with Exeter City Council since 11 March 2019 and was transferred to the Applicant on 24 September 2021.

The Licensing Officer confirmed that 45% of the current Hackney Carriage Fleet in

Exeter were WAVs.

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

- he had been driving taxis since 2015;
- previous MOT failures had been due to wear and tear;
- the vehicle was well looked after and well maintained;
- the engine had been replaced in November 2025;
- it was washed and cleaned regularly; and
- passengers often commented on how smooth their journey had been.

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

- the vehicle was typically serviced two or three times a year, but it was dependent on the amount of work;
- he checked the coolant, oil level, tyres, wheelchair accessible ramp, and wash the car weekly;
- the MOT mileage did not reflect the mileage of the new engine as it was measured using digital mileage that had not been reset by the MOT mechanic;
- he was the sole driver of the vehicle;
- he primarily used the St David's taxi rank, but also used the taxi rank on Fore Street at the weekends;
- he estimated that he only took one or two customers in a wheelchair each year;
- advisories following an MOT were repaired immediately;
- work had been done on the vehicle before it was purchased;
- there was no spare wheel as it was not possible to store in the vehicle due to the wheelchair ramp; and
- he would like to replace the car but did not currently have plans to.

The Licensing Officer informed Members that vehicles with outstanding advisories could not have their vehicle licence renewed as per the Exeter City Council Taxi Policy.

The Licensing Officer advised that the issue with the wrap highlighted in the vehicle inspection was not visible to the public.

In summing up the Applicant advised Members that he loved his car and looked after it, and he had all 5-star reviews.

RESOLVED that the application for the renewal of a licence relating to a Hackney Carriage over 8 years old be approved for 12 months, subject to conditions (1) that the vehicle will have an MOT every six months and evidence that all advisories have been completed is provided to the Council's Licensing Department and (2) the Council's Licensing Department are notified every time the vehicle is serviced and provided with documentary evidence showing the work carried out.

80

APPLICATION TO RENEW A PRIVATE HIRE VEHICLE LICENCE OVER 10 YEARS OLD

The Chair introduced the Members of the Licensing Sub-Committee panel and the Officers.

The Legal Officer (Litigation and Debt Recovery) set out the procedure for the hearing, advising on the Council's policy and the requirements under Section 48(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Officer presented the report for the application to renew a licence relating to a SEAT Alhambra, which was over 10 years old. The vehicle was first registered on 29 March 2016.

The Applicant submitted a current MOT dated 23 February 2026, which recorded a mileage of 135,999. The vehicle was inspected by a council officer and was found to be in good condition for the age. The vehicle had been licenced with Exeter City Council since 7 April 2016.

The Applicants spoke in support of their application, making the following comments:

- he had worked in the transport and taxi industry since the 1970s;
- they currently employ 20 members of staff; and
- they operated solely on Devon County Council contract transporting children with Special Educational Needs and Disabilities to school.

In response to questions from Members and Officers, the Applicants made the following comments:

- tyre issues were a known concern with the SEAT Alhambra and were addressed through monthly checks at the SEAT garage;
- the advisory relating to the wheel rim had been repaired;
- vehicles were serviced every 20,000 miles, or annually on a long-life service plan;
- the drivers were employed by the company;
- the next service was scheduled for August 2026;
- this vehicle was used as a spare, so did not have the same drivers every day. The issue with the windscreen wipers was repaired as soon as it was reported; and
- they had plans to replace the vehicle next year.

RESOLVED that the application for the renewal of a licence for a Private Hire Vehicle over 10 years old be approved for 12 months by way of exception to the Council's existing policy for the following reasons:

- the vehicle was in good condition and passed a full mechanical inspection; and
- the Applicant's submissions gave the Licensing Sub-Committee the confidence that the vehicle would be safe and suitable for a further 12 months.

The Licensing Sub-Committee also considered the Government's Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England and 17th November 2023 on vehicle age limits.

81 **APPLICATION TO RENEW A PRIVATE HIRE VEHICLE LICENCE OVER 10 YEARS OLD**

The Chair introduced Members and Officers. The Legal Officer (Litigation and Debt Recovery) set out the procedure for the hearing, advising on the Council's policy and the requirements under Section 48(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Officer presented the report for the application to renew a licence in relation to a Private Hire Tesla Model S, which was over 10 years old. The vehicle was first registered on 28 March 2016.

The Applicant submitted a current MOT dated 3 March 2026, which recorded a mileage of 141,160 miles. The vehicle had been inspected by a council officer and was found to be in excellent condition for the age. The vehicle had been licenced with Exeter City Council since 30 March 2016.

The Applicant spoke in support of their application, making the following points:

- this vehicle was part of the company's executive fleet;
- the mileage was low as the vehicle had not been used much in the previous year;
- the vehicle was able to carry large amounts of luggage so was well placed for taking customers to the airport; and
- the vehicle was electric and therefore met emission requirements.

In response to questions from Members and Officers, the Applicant responded in the following terms:

- the vehicle wasn't sent out often, as it was the Applicant's own vehicle and there were concerns regarding the range and time taken to charge it, for other driver's employed by the Applicant;
- vehicle services alternated between Tesla and an independent garage;
- he was expecting the vehicle use to increase and was planning on taking it to Heathrow next week; and
- he had no intention to replace the vehicle.

In summing up his application, the Applicant explained that he was spending over £1000 a week in fuel, but this car cost only 3p per mile to charge and he was able to charge it overnight at home. It was not affordable for his business to spend a large amount of money on a new car.

RESOLVED that the application for the renewal of a licence for a Private Hire Vehicle over 10 years old be approved for 12 months by way of exception to the Council's existing policy for the following reasons:

- the vehicle was in excellent condition, passed a full mechanical inspection and the MOT history was completely clear;
- the vehicle was electric with low emissions; and
- the Applicant's submissions gave the Licensing Sub-Committee the confidence that the vehicle would be safe and suitable for a further 12 months.

The Licensing Sub-Committee also considered the Government's Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England and 17th November 2023 on vehicle age limits.

TOWN POLICE CLAUSES ACT 1847

82 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 Members and Officers. The Legal Officer (Litigation and Debt Recovery) set out the procedure for the hearing, advising on the Council's policy and the requirements under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Legal Officer (Litigation and Debt Recovery) stated that the evidential burden was not on the Licenced Driver to prove he was a fit and proper person to hold a

taxi driver's licence, 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. Every case was heard on its own individual merits and that the paramount concern of the Licensing Sub-Committee was the safety of the traveling public.

The Principal Licensing Officer presented his report to the Licensing Sub-Committee, and shared video evidence provided by the complainant.

The Licenced Driver spoke in support of why he considered he was still a fit and proper person to hold a taxi driver's licence and answered questions from Members and Officers.

RESOLVED that the Licenced Driver is a fit and proper person to hold a taxi driver's licence and the licence should remain in place, but a written warning with regard to future conduct and four penalty points would be issued in accordance with Exeter City Council Taxi's Policy.

(The meeting commenced at 10.01 am and closed at 1.39 pm)

Chair