



Regulatory Subcommittee

14:10 to 15:35

13 June 2022

Present: Councillors Stutely (chair), Davis, Grahame and Price

Apologies: Councillor Brociek-Coulton

1. Declarations of Interest

There were no declarations of interest.

2. Exclusion of the public

RESOLVED to exclude the public from the meeting during consideration of items *3 to 5* below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972, as amended.

*3. Application for the grant of a private hire vehicle licence – application ref – 21/00565/PHVEH

(The applicant and the public protection team leader were admitted to the meeting)

The chair introduced members of the committee to the applicant and asked the public protection licensing adviser to confirm the identity of the driver. The applicant confirmed that he had received the report and that he was aware of his right to legal representation but had chosen not to be.

The public protection team leader presented the report.

The applicant answered questions from members on the condition of his vehicle as the age of the vehicle was older than the policy allowed. He confirmed that his vehicle was regularly serviced and had been subject to a MOT.

(The applicant and the public protection team leader withdrew from the meeting at this point.)

Members discussed the merits of granting a private hire vehicle licence. In their view the failure of renewing the private hire vehicle licence had been an administrative error on behalf of the applicant. As the vehicle in question was only around a year and a half outside of policy and was a low emission vehicle, members were minded

to delegate the grant of a private hire vehicle licence to officers, subject to a new application being submitted including a new Mechanical Inspection Certificate.

This was put to a vote and with three members voting in favour and one abstention, it was:-

RESOLVED to grant a new licence for the full period, to be processed under officers' delegated powers on submission of a new application for the grant of a vehicle licence and submission of all required paperwork including a new Mechanical Inspection Test Certificate.

(The applicant and the public protection team leader were readmitted to the meeting and informed of the subcommittee's decision)

(The meeting was adjourned from 2:45pm to 2:55pm.)

***4. Application for renewal of a private hire drivers licence
21/02105/PHDRIV**

(The applicant and the public protection team leader were admitted to the meeting.)

The chair welcomed the applicant. The committee confirmed the applicant's identity using the applicant's driving licence. The applicant confirmed that he was aware of his right to legal representation but had chosen not to be. The applicant also confirmed that there were no pending court cases against him.

The public protection team leader presented the report. The applicant answered questions from members on the incident that led to the driving offence detailed in the report. The applicant said that while he had read the green book he had not been aware that all motoring offences, not just those that happened whilst he was driving a taxi, needed to be reported to the council within seven days.

The applicant detailed how the incident had occurred and the offence that he had been charged with.

(The applicant and the public protection team leader withdrew from the meeting at this point.)

Members discussed the merits of granting the renewal as they felt that the specific offense was due to, in part, the applicant not having been made aware that additional commercial insurance was needed to work as a food delivery driver. The incidence of speeding had not occurred while the applicant was working as a taxi driver, and no other passengers had been in the vehicle. They were minded to grant the renewal for the full period but issue a warning letter to remind the applicant of the importance of reading the green book and ask officers to conduct a driving record check after 12 months to ensure that no further driving offences had been recorded.

(The applicant and the public protection team leader were readmitted to the meeting and informed of the subcommittee's decision)

RESOLVED, unanimously, to :-

- 1) Grant the renewal for the full period;
- 2) Send a warning letter to the applicant advising him to read the green book and if he had any questions to contact public protection officers; and
- 3) Ask officers to conduct a DVLA licence check after a period of 12 months to ensure that no further driving offences had been recorded.

(The applicant was informed of his right to appeal the decision to the Magistrates' Court and that this must be done within 21 days of being notified of the decision.)

***5. Verbal update - revocations**

RESOLVED to defer this item to the next regulatory subcommittee meeting.

CHAIR