



**Regulatory Subcommittee**

**14:45 to 15:20**

**11 September 2023**

Present: Councillors Stutely (chair), Ackroyd, Catt, Calvert and Prinsley

**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 and \*4 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 renewal of a private hire drivers licence case number 22/00223/PHDRIV**

(The licensing adviser (licensing officer) was admitted to the meeting.)

The chair asked the licensing adviser is there was any update to the report which there was not. The chair summarised the authority's contact with the applicant who had failed to attend committee. The applicant had made his renewal application in March 2022 but failed to attend his renewal appointment or to provide any relevant paperwork necessary to process the application.

Members discussed why it had taken the application so long to come to committee for consideration if the applicant had failed to provide the necessary paperwork. The licensing adviser commented that there was a lack of guidance on how long to leave a renewal application before review. The chair asked the committee officer to add an item on to the Regulatory Committee agenda to consider when to review and determine renewal applications when the necessary paperwork was not provided.

(The licensing advisor withdrew from the meeting at this point.)

The subcommittee considered that the applicant's failure to attend his renewal appointment and to provide any relevant paperwork to consider his renewal application meant the committee could not be confident that his was a fit and proper person.

**RESOLVED** unanimously:

- 1) to not grant the renewal of private hire drivers licence case number 22/00223/PHDRIV on the grounds of any other reasonable cause;
- 2) to request that the licensing adviser notify the company the applicant was registered with that his renewal application had not been granted; and
- 3) to request that the committee officer add an item onto the Regulatory Committee agenda to consider the process for determining renewals where the necessary paperwork has not been provided.

(The licensing advisor was readmitted to the meeting and advised of the subcommittee's decision. The applicant would be informed of the outcome in writing and advised of his right to appeal within 21 days of receipt of written notification of the decision.)

**\*4. Application for the renewal of a private hire vehicle licence case number 22/01356 PHVEH**

(The applicant and the licensing adviser (licensing officer) were admitted to the meeting.)

The chair introduced members of the committee, the legal advisor and the council officers to the applicant. The subcommittee confirmed the applicant's identity using the applicant's driving licence. The applicant advised that there were no pending court cases or convictions against him. The committee's legal advisor asked the applicant to confirm that he had received the agenda paperwork which he did.

The licensing adviser presented the report.

The applicant's vehicle licence renewal application was received 17 days late, this meant that as the vehicle was over five years old it could no longer be automatically renewed. The chair noted that essentially the applicant was asking committee to deviate from its policy.

The applicant advised that he had been distracted, his grandmother was unwell and he was taking her to hospital appointments for treatment at the time his renewal was due. In response to a question from the chair the applicant advised that he did not receive a renewal reminder from the council. The licensing advisor confirmed that the department had no record of a renewal reminder being sent.

In response to questions from the chair the applicant advised that his vehicle was 7 years and 11 months old, was in good mechanical order, was serviced regularly and had 91,000 miles on the clock.

(The applicant and the licensing adviser withdrew from the meeting at this point.)

The subcommittee considered that the applicant's failure to renew his licence was due to an oversight as explained. The subcommittee noted that the vehicle was in good working order and well looked after and on this basis an exception to the policy could be granted.

**RESOLVED** unanimously to grant the renewal of a private hire vehicle licence case number 22/01356/PHVEH

(The applicant, and the licensing advisor were readmitted to the meeting and advised of the subcommittee's decision and that the applicant would receive confirmation in writing from the licensing officer.)

CHAIR