



## Regulatory Subcommittee

14:20 to 16.00

11 October 2021

Present: Councillors Stutely (Chair), Giles, Maxwell, Sands (S) and Schmierer;

Also present: Tiffany Bentley (Public Protection Team Leader), Rachel Bennett (Licensing Adviser), Sarah Moss (Legal Advisor, nplaw)

### 1. Declarations of Interest

There were no declarations of interest.

### 2. APPLICATION FOR RENEWAL OF A HACKNEY CARRIAGE VEHICLE LICENCE – CASE NUMBER 20/01022 HACKV

(The applicant, his daughter, the public protection team leader and licensing advisor were admitted to the meeting.)

The chair introduced the members of the panel and officers present. The applicant confirmed that he had received a copy of the report.

The licensing advisor presented the report.

The chair asked the applicant to explain the delay in submitting the application to renew the hackney carriage licence. The applicant explained that the delay was due to Covid-19 and he had run the family business with a number of hackney carriage vehicles for over ten years. In this time a renewal had never been made late and the licensing advisor confirmed that she could not recall a renewal application ever being received late from the business.

The chair explained that as the renewal application had been made outside of the renewal period, the application may be treated as an application for the grant of a new vehicle licence. As the vehicle in question was over five years old it could only be granted a new licence if committee agreed to an exception to the council's policy of not granting a new licence to vehicles older than 5 years.

If committee agreed to grant a licence it would have to be confident the vehicle was in a suitable and road worthy condition. Committee noted the applicant had provided a relevant MOT certificate and the mileage on the vehicle and asked the applicant if he considered the vehicle to be in good working order.

The applicant explained that all vehicles at the business were serviced every six weeks and as such he was confident that the vehicle was in good working order.

(The applicant, his daughter, the public protection team leader and licensing advisor withdrew from the meeting at this point.)

Members discussed the renewal application, taking advice from the legal advisor and applying current case law. Members were also mindful of the overriding consideration of public safety and ensuring a vehicle is safe and fit for purpose.

They noted the evidence submitted by the applicant was that the vehicle was of a high standard and very well maintained, with servicing taking place every six weeks. Members therefore concluded that because the vehicle was maintained to a high operational standard, it was very likely that emissions would be kept to an acceptable standard and that the vehicle was fit for purpose. They also noted that had renewal of the licence taken place in the usual way, the age of his vehicle would still have accorded with the policy and that renewal had not taken place because of one-off unfortunate circumstances, rather than deliberate disregard or carelessness. The Committee considered, therefore, that granting the applicant a new licence would not interfere substantially with the aims of the policy and there were sufficient grounds to justify departing from the policy on this occasion.

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

**RESOLVED** to:

- (1) grant a new licence for the full period in this case, 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 current MOT certification, Mechanical Inspection Test Certificate and insurance certification;
- (2) to charge for the cost of the application and the renewal; and
- (3) remind the applicant that he needed to ensure future applications were submitted on time.

**3. REVOCATION OF PRIVATE HIRE LICENCE – 18/01792 PHDRIV**

The public protection team leader presented the report. The applicant was not present, members noted the circumstances of the revocation of the licence.

**RESOLVED** to note the report.

**4. SUSPENSION/ REVOCATION OF PRIVATE HIRE LICENCE – 19/01837  
PHDRIV**

The public protection team leader presented the report. The applicant was not present. The public protection team leader circulated further information in relation to the revocation. It was noted that the licence had been revoked by officers on delegated authority as detailed in the council's licensing policy. Members noted the circumstances of the revocation of the licence.

**RESOLVED** to note the report.

CHAIR