

## **LICENSING AND REGULATORY COMMITTEE**

**THURSDAY, 17 SEPTEMBER 2020**

Present:

Councillors Austen, Bradford, Clarence, D Cox, Evans, Hayes, Hocking, Kerswell, Nutley, Rollason and Russell

Officers in Attendance:

Trish Corns, Democratic Services Officer  
Debbie Rosenveldt, Licensing Officer  
Beth Tipton, Administrative Assistant  
Karen Trickey, Solicitor to the Council and Monitoring Officer

### **1. APPOINTMENT OF CHAIR**

Councillor Hayes proposed that Councillor Cox be elected Chair of the committee and this was seconded by Councillor Nutley.

Councillor Hocking proposed that Councillor Bradford be elected Chair of the committee and this was seconded by Councillor Kerswell.

A roll call was done.

#### **RESOLVED**

That Councillor Cox be elected Chair of the committee.

#### **Voting for Councillor Cox**

Cllr Austen  
Cllr Clarence  
Cllr Cox  
Cllr Evans  
Cllr Hayes  
Cllr Nutley  
Cllr Rollason  
Cllr Russell

#### **Voting for Councillor Bradford**

Cllr Bradford  
Cllr Hocking  
Cllr Kerswell

## **2. APPOINTMENT OF VICE-CHAIR**

Councillor Cox proposed that Councillor Hayes be elected Vice-Chair of the committee and this was seconded by Councillor Nutley.

Councillor Hocking proposed that Councillor Austen be appointed Vice-Chair of the committee and this was seconded by Councillor Bradford.

A roll call was taken.

**RESOLVED** that Councillor Austen be elected Vice-Chair of the committee.

### Voting for Councillor Hayes

Cllr Cox  
Cllr Evans  
Cllr Hayes  
Cllr Nutley  
Cllr Rollason

### Voting for Councillor Austen

Cllr Austen  
Cllr Bradford  
Cllr Clarence  
Cllr Hocking  
Cllr Kerswell  
Cllr Russell

## **3. MINUTES**

The minutes for the meetings of the Licensing Act 2003 held on 20 July 2020, the Licensing Sub-Committee 2 held on 20 July 2020, the Licensing Sub-Committee 1 held on 13 August 2020 and the Regulatory and Appeals Committee held on 19 August 2020 were unanimously approved as a correct record and will be signed at a later date.

## **4. APPOINTMENT OF SUB-COMMITTEES 1 AND 2**

Members considered how many sub-committees they wanted. The legal advisor clarified for members what the main committee and sub-committees would be able to do.

Councillor Hocking proposed that there be only one sub-committee with membership allocated on a rota basis and chaired alternatively by the Chair and Vice-Chair of the main committee. This was seconded by Councillor Austen.

**RESOLVED**

Unanimously agreed that there be only one sub-committee with membership decided on a rota basis and chaired alternatively by the Chair and Vice-Chair of the main committee.

**5. DECLARATIONS OF INTEREST.**

None.

**6. APPLICATION FOR A HACKNEY CARRIAGE VEHICLE EXTENSION - WR10 NUP**

Consideration was given to an application for a new Hackney Carriage Vehicle Licence Extension for a Kia Ceed vehicle registration WR10 NUP. The vehicle will be 10 years old being registered in September 2010.

The Licensing Officer referred to the agenda report and the committee considered photos of the vehicle. It was noted that the vehicle has a valid MOT until 21 September 2021 with 5 advisories, and it had passed the recent taxi inspection test which showed that the advisories had been remedied.

The Applicant provided a written statement in support of the application.

All vehicle licences are issued annually and Section 43 of the Town Police Clauses Act 1847 provides that a hackney carriage vehicle licence may only be in force for a maximum period of one year.

The Hackney Carriage and Private Hire Policy provides that vehicles being presented for subsequent licensing are required to be under ten years old. The Council has the discretion to continue to licence vehicles which are older than ten years provided that the Council is satisfied that such a vehicle is in a good condition and good state of repair, and provided that it passes the appropriate testing standard.

The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use.

**RESOLVED** - The vehicle registration WR10 NUP, Kia Ceed, be approved for a 12 month Hackney Carriage Vehicle Licence Extension, in accordance with legislation subject to six monthly taxi inspection tests.

**Reason for Decision**

Having inspected the vehicle, read all written material, and listened to the representation by the Applicant and the Licensing Officer, the Regulatory & Appeals Committee was satisfied with the general standard of the vehicle, the state of repair, and the condition of the vehicle. Therefore it was considered the vehicle was fit for use for the general public and paying customers.

**7. APPLICATION FOR A HACKNEY CARRIAGE VEHICLE EXTENSION - EY55 OUD**

Consideration was given to an application for a new Hackney Carriage Vehicle Licence Extension for a Volkswagen Sharan vehicle registration EY55 OUD. The vehicle was over 15 years old being registered in September 2005.

The Licensing Officer referred to the agenda report and the committee considered photos of the vehicle. It was noted that the vehicle has a valid MOT until 7 January 2021, and it had passed the recent taxi inspection test.

The Applicant attended the hearing and spoke in support of the application.

All vehicle licences are issued annually and Section 43 of the Town Police Clauses Act 1847 provides that a hackney carriage vehicle licence may only be in force for a maximum period of one year.

The Hackney Carriage and Private Hire Policy provides that vehicles being presented for subsequent licensing are required to be under ten years old. The Council has the discretion to continue to licence vehicles which are older than ten years provided that the Council is satisfied that such a vehicle is in a good condition and good state of repair, and provided that it passes the appropriate testing standard.

The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use.

**RESOLVED** - The vehicle registration EY55 OUD, Volkswagen Sharan, be approved for a 12 month Hackney Carriage Vehicle Licence Extension, in accordance with legislation subject to six monthly taxi inspection tests.

**Reason for Decision**

Having inspected the vehicle, read all written material, and listened to the representation by the Applicant and the Licensing Officer, the Regulatory & Appeals Committee was satisfied with the general standard of the vehicle, the state of repair, and the condition of the vehicle. Therefore it was considered the vehicle was fit for use for the general public and paying customers.

**8. APPLICATION FOR A HACKNEY CARRIAGE VEHICLE EXTENSION - LN55 YNM**

Consideration was given to an application for a new Hackney Carriage Vehicle Licence Extension for a Volkswagen Sharan vehicle registration LN55 YNM. The vehicle was over 15 years old being registered in September 2005.

The Licensing Officer referred to the agenda report and the committee considered photos of the vehicle. It was noted that the vehicle has a valid MOT until 28 January 2021, and it had passed the recent taxi inspection test.

The Applicant attended the hearing and spoke in support of the application.

All vehicle licences are issued annually and Section 43 of the Town Police Clauses Act 1847 provides that a hackney carriage vehicle licence may only be in force for a maximum period of one year.

The Hackney Carriage and Private Hire Policy provides that vehicles being presented for subsequent licensing are required to be under ten years old. The Council has the discretion to continue to licence vehicles which are older than ten years provided that the Council is satisfied that such a vehicle is in a good condition and good state of repair, and provided that it passes the appropriate testing standard.

The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use.

RESOLVED - The vehicle registration LN55 YNM, Volkswagen Sharan, be approved for a 12 month Hackney Carriage Vehicle Licence Extension, in accordance with legislation subject to a four monthly taxi inspection test which if passed will not need to be repeated until renewal and passing an MOT within the four months. This is due to the high mileage of the vehicle.

#### **Reason for Decision**

Having inspected the vehicle, read all written material, and listened to the representation by the Applicant and the Licensing Officer, the Regulatory & Appeals Committee was satisfied with the general standard of the vehicle, the state of repair, and the condition of the vehicle. Therefore it was considered the vehicle was fit for use for the general public and paying customers.

**CLLR D COX**  
Chair

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