

REGULATORY & APPEALS COMMITTEE

25 FEBRUARY 2019

Present:

Councillors Dennis (Chairman), Austen, Evans and Prowse

Apologies:

Councillors Hockin and Cook

Officers in Attendance:

Hayley Carpenter, Licensing Officer, Nick Hill, Solicitor and Howard Bassett
Democratic Services Officer (Exeter City Council)

4. MINUTES

The Minutes of the meeting held on 21 January 2019 were approved as a correct record and signed by the Chairman.

5. DECLARATIONS OF INTEREST.

There were no declarations of interest.

6. REQUEST RENEW AND EXTEND A HACKNEY CARRIAGE VEHICLE - LONDON TAXI LB52 YNU

Consideration was given to an application to renew and extend a Hackney Carriage Vehicle Licence, as set out in the report.

Section 43 of the Town Police Clauses Act 1847, provides that a Private Hire/ 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.

However, the Council has 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 that it passes the appropriate testing standard. The Council's 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 by members of the public.

The Licensing Officer presented the report stating that the vehicle was a London Taxi, LB52 YNU which had been first registered on 30 January 2003 and would be 15 years and 11 months old, if granted. The current Hackney Carriage licence expired on 6 March 2019. Works required to the vehicle had been undertaken following a failed MOT test in January 2019 and had subsequently passed in February 2019. The vehicle had passed a taxi test on 4 February 2019.

The Committee Members inspected the vehicle.

The Applicant was in attendance and addressed Members in support of the application..

Resolved

Vehicle registration LB52 YNU be approved for a 12 month Hackney Carriage Vehicle Licence renewal with a condition requiring that the vehicle have four monthly vehicle inspections.

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 and Appeals Committee were satisfied with the general standard of the vehicle, the state of repair and the condition of the vehicle. Therefore it was considered that the vehicle was fit for use for the general public and paying customers.

7. REQUEST RENEW AND EXTEND A HACKNEY CARRIAGE VEHICLE - TOYOTA COROLLA BK08 PCU

Consideration was given to an application to renew and extend a Hackney Carriage Vehicle Licence, as set out in the report.

Section 43 of the Town Police Clauses Act 1847, provides that a Private Hire/ 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.

However, the Council has 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 that it passes the appropriate testing standard. The Council's 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 by members of the public.

The Licensing Officer presented the report stating that the vehicle was a Toyota Corolla, BK08 PCU which had been first registered on 26 March 2008 and would be 10 years and 10 months old, if granted. The current Hackney Carriage licence had expired on 1 February 2019. The vehicle had a current MOT that expired on 23 January 2020. The vehicle had passed a taxi test on 6 February 2019.

The Committee Members inspected the vehicle.

The Applicant was in attendance and addressed Members in support of the application.

Resolved

Vehicle registration BK08 PCU be approved for a 12 month Hackney Carriage Vehicle Licence renewal with a condition requiring that the vehicle have six monthly vehicle inspections.

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 and Appeals Committee were satisfied with the general standard of the vehicle, the state of repair and the condition of the vehicle. Therefore it was considered that the vehicle was fit for use for the general public and paying customers.

8. REQUEST RENEW AND EXTEND A HACKNEY CARRIAGE VEHICLE - ALFA ROMEO WN08 LSJ

Consideration was given to an application to renew and extend a Hackney Carriage Vehicle Licence, as set out in the report.

Section 43 of the Town Police Clauses Act 1847, provides that a Private Hire/ 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.

However, the Council has 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 that it passes the appropriate testing standard. The Council's 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 by members of the public.

The Licensing Officer presented the report stating that the vehicle was a Alfa Romeo, WN08 LSJ which had been first registered on 28 March 2008 and would be 10 years and 10 months old, if granted. The current Hackney Carriage licence expired on 17 February 2019. The vehicle had a current MOT that expired on 28 March 2019. The vehicle had passed a taxi test on 12 February 2019.

The Committee Members inspected the vehicle.

The Applicant was in attendance and addressed Members in support of the application.

Resolved

Vehicle registration WN08 LSJ be approved for a 12 month Hackney Carriage Vehicle Licence renewal with a condition requiring that the vehicle have six monthly vehicle inspections.

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 and Appeals Committee were satisfied with the general standard of the vehicle, the state of repair and the condition of the vehicle. Therefore it was considered that the vehicle was fit for use for the general public and paying customers.

9. REQUEST RENEW AND EXTEND A PRIVATE HIRE VEHICLE - VOLKSWAGEN TRANSPORTER LF05 YMZ

Consideration was given to an application to renew and extend a Private Hire Vehicle Licence, as set out in the report.

Section 43 of the Town Police Clauses Act 1847, provides that a Private Hire/ 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.

However, the Council has 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 that it passes the appropriate testing standard. The Council's 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 by members of the public.

The Licensing Officer presented the report stating that the vehicle was a Volkswagen Transporter, LF05 YMZ which had been first registered on 30 March 2005 and would be 13 years and 10 months old, if granted. The current Private Hire licence expired on 14 January 2019. The vehicle had a current MOT that expired on 25 July 2019 and had two advisories. These had been addressed. The vehicle had passed a taxi test on 1 February 2019.

The Committee Members inspected the vehicle.

The Applicant was in attendance and addressed Members in support of the application.

Resolved

Vehicle registration LF05 YMZ be approved for a 12 month Private Hire Vehicle Licence renewal with a condition requiring that the vehicle have six monthly vehicle inspections.

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 and Appeals Committee were satisfied with the general standard of the vehicle, the state of repair and the condition of the vehicle. Therefore it was considered that the vehicle was fit for use for the general public and paying customers.

10. REQUEST RENEW AND EXTEND A PRIVATE HIRE VEHICLE - AUDI A4 YR58 MJX

Consideration was given to an application to renew and extend a Private Hire Vehicle Licence, as set out in the report.

Section 43 of the Town Police Clauses Act 1847, provides that a Private Hire/ 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.

However, the Council has 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 that it passes the appropriate testing standard. The Council's 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 by members of the public.

The Licensing Officer presented the report stating that the vehicle was an Audi A4, YR58 MJX which had been first registered on 24 October 2008 and would be 10 years and 3 months old, if granted. The current Private Hire licence expired on 1 March 2019. The vehicle had a current MOT that expired on 1 March 2019 and had no advisories. The vehicle was booked in for a taxi test on 18 February 2019.

The Committee Members inspected the vehicle.

The Applicant was in attendance and addressed Members in support of the application.

Resolved

Vehicle registration YR58 MJX be approved for a 12 month Private Hire Vehicle Licence renewal with a condition requiring that the vehicle have six monthly vehicle inspections.

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 and Appeals Committee were satisfied with the general standard of the vehicle, the state of repair and the condition of the vehicle. Therefore it was considered that the vehicle was fit for use for the general public and paying customers.

11. TREE PRESERVATION ORDER 2018 - E2/27/24

The Chairman reported that the report on a request to confirm the provisional The District of Teignbridge (Lea Mount) Tree Preservation Order 2018 protecting one Sycamore tree located within an area of Land to the south east of Lea Mount that had been served on 7 September 2018 and would cease on 6 March 2019 had now been made as the objector had withdrawn the objection.

Chairman