

LICENSING AND APPEALS COMMITTEE

TUESDAY, 12 SEPTEMBER 2023

Present: Councillor R Bullock, Chair

Councillors: E Winfield
A Cooper
G S Hills
S Kerry
S Paterson
D D Pringle
C M Tideswell
S Webb
E Williamson
K Woodhead

Apologies for absence were received from Councillors B C Carr and R D MacRae

23 DECLARATIONS OF INTEREST

Councillor K Woodhead declared a non-pecuniary interest in agenda item 5 due to knowing the appellant in a personal capacity and left the meeting for this item. Minute number 26 refers.

24 MINUTES

The minutes of the meeting held on 13 June 2023 were confirmed and signed as a correct record.

25 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

26 APPEAL AGAINST DISMISSAL

RESOLVED to uphold the original decision.

(Councillor K Woodhead, having declared a non-pecuniary interest, left the meeting for this item).

27 REVIEW OF STATEMENT OF LICENSING POLICY 2024 - 2029

Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of its licensing policy every five years. Such a policy must be published before the authority carries out any function in respect of individual applications made under the terms of the 2003 Act. A number of legislative changes have taken place since the last review in 2018 and the Home Office revised Section 182 statutory guidance has also made a number of

amendments in respect of the Licensing Act 2003 and the Authority must now review, adopt and publish a new statement to reflect these changes by 7 January 2024.

RESOLVED that the draft statement of Licensing Policy for the purposes of statutory consultation be approved.

28 HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE SPECIFICATION - ENGINE SIZE

The Committee considered a request from the taxi trade to amend the current specification of hackney carriage and private hire vehicle engine capacity as outlined in the Council's Hackney Carriage and Private Hire Vehicle Policy.

The current specification for all vehicles as set out in the Policy in terms of cubic capacity (cc) is a minimum of 1400cc. This has been the case since 3 December 2019 when the minimum capacity was reduced from 1500cc to 1400cc.

It has been requested from members of the taxi trade that the Committee considers reducing the minimum capacity further.

RESOLVED that the Policy be amended to reduce the size of the minimum capacity further.

29 AMENDMENT TO THE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE POLICY AGE OF VEHICLE

The Committee considered a request from the taxi trade to amend the current age policy for hackney carriage and private hire vehicles as outlined in the Council's Hackney Carriage and Private Hire Vehicle Policy.

The current policy states that licence plates for under 5 years old are issued annually, following a successful examination of the vehicle. When a vehicle has reached the age of 5 years it will, on the next renewal, be licensed on a six monthly basis. Subject to the vehicle successfully passing the examination, the vehicle will continue to be renewed up to the age of 8 years. Vehicles over the age of 8 years will not normally be licensed by the Council unless they are wheelchair accessible. Wheelchair accessible vehicles will normally be renewed up to the age of 10 years.

Representations have been received from the taxi trade expressing concern over the current age limitations of the policy.

The request is to allow vehicles of up to 8 years old at date of first registration to be granted a new licence.

RESOLVED that the policy be amended to include the addition of licensing vehicles up to 8 years old at the date of first registration.

30 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

31 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 HACKNEY
CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

RESOLVED to defer the item to a future meeting.

32 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 HACKNEY
CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

RESOLVED that the application be approved.