

At a meeting of the Licensing Regulatory Panel held in Council Chamber, Allerdale House on Friday 12 November 2021 at 2.00 pm

Members

Councillor Nicky Cockburn (Chair)
Councillor Allan Daniels
Councillor Elaine Lynch

Councillor Hilary Harrington
Councillor Ron Munby MBE

Staff Present

D Fletcher, J Morgan and G Roach

246. Election of Chair

Councillor N Cockburn was elected Chair for the ensuing meeting.

247. Declaration of Interests

None declared.

248. Questions

None received.

Resolved -

“That under Section 100A 4 of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in paragraphs 4 and 7 of part 1 of Schedule 12A of the Act.”

249. To consider an application for a Hackney Carriage Vehicle

The Applicant withdrew this application from the process.

250. To consider an application for a Private Hire Vehicle

The Licensing and Compliance Officer submitted a report for the Licensing Regulatory Panel to consider a vehicle for private hire vehicle license which did not meet the criteria of Allerdale Borough Councils Vehicle Age Policy.

The Applicant and a representative was in attendance.

The application was to consider whether the council departs from the conditions of its Vehicle Age Policy and agree to grant the private hire vehicle licence for any period up to one year.

The vehicle was licensed as private hire vehicle and that licence had expired without a valid renewal application being made.

The applicant had requested that the Licensing Regulatory Panel consider licensing the vehicle outside of the Vehicle Age Policy due to their extenuating circumstances.

The officer's recommendation was to refuse the licence.

The applicant then gave their representations and answered questions from members.

The applicant's representative advised the Panel that the delay with the application was due to a member of staff being in isolation due to Covid-19 and the application deadline had been missed. It was explained that new processes had been put into place in the taxi office to help prevent the error from happening in the future.

The Licensing and Compliance Officer and the applicant and their representative then left the meeting while the panel considered the application.

Members considered the application, the officer's report, and representations from the applicant and advice from officers. The Panel also considered relevant legislation, the Vehicle Age Policy and the purposes of the licencing objectives.

Councillor E Lynch moved the motion to grant the private hire vehicle licence for one year.

This was seconded by Councillor A Daniels.

A vote was taken, the motion was unanimously agreed.
The motion was carried.

The Licensing and Compliance Officer and the applicant and their representative returned to the meeting.

The applicant was informed of the decision and its reasons.

Decision/Reasons

The Panel decided to delegate powers to officers to grant the licence for one year, delegating the power thereafter to the Licensing and Compliance Specialist for any subsequent renewal.

Although the vehicle fell outside the Vehicle Age Policy, the vehicle was now considered to meet the conditions outlined in section 3 of the Council's Vehicle Age Policy. The Panel considered the fact that the person administering the applicant's company had been in isolation and that other paperwork usually received at the same time to prompt the application had not been received. The applicant had now done everything required to ensure that the vehicle had the relevant paperwork, which was now all in place.

If the applicant was aggrieved by the decision of the Panel, they could appeal to the Magistrates' Court within 21 days of the decision.

251. To consider an application for a Private Hire Vehicle

The Licensing and Compliance Officer submitted a report for the Licensing Regulatory Panel to consider a vehicle for private hire vehicle licence which did not meet the criteria of Allerdale Borough Councils Vehicle Age Policy.

The Applicant's representative was in attendance.

The application was to consider whether the council departs from the conditions of its Vehicle Age Policy and agree to grant the private hire vehicle licence for any period up to one year.

The vehicle was licensed as private hire vehicle and that licence had expired without a valid renewal application being made.

The applicant had requested that the Licensing Regulatory Panel consider licensing the vehicle outside of the Vehicle Age Policy due to their extenuating circumstances.

The officer's recommendation was to refuse the licence.

The applicant's representative then gave their representations and answered questions from members.

The applicant's representative advised the Panel that the delay with the application was due to a delay in sourcing materials for a new windscreen for the car due to Covid-19 and Brexit influences. The applicant had been trying for one month to source a new windscreen but had been unsuccessful due to a shortage in materials.

The Licensing and Compliance Officer and the applicant's representative then left the meeting while the panel considered the application.

Members considered the application, the officer's report, and representations from the applicant and advice from officers. The Panel also considered relevant legislation, the Vehicle Age Policy and the purposes of the licencing objectives.

Councillor N Cockburn moved the motion to grant the private hire vehicle licence for one year.

This was seconded by Councillor A Daniels.

A vote was taken, the motion was unanimously agreed.
The motion was carried.

The Licensing and Compliance Officer and the applicant's representative returned to the meeting.

The applicant was informed of the decision and its reasons.

Decision/Reasons

The Panel decided to delegate powers to officers to grant the licence for one year, delegating the power thereafter to the Licensing and Compliance Specialist for any subsequent renewal.

Although the vehicle now fell outside the Vehicle Age Policy, the vehicle was considered to meet the conditions outlined in section 3 of the Council's Vehicle Age Policy.

The Panel considered the fact that the applicant had been trying to locate a new windscreen for the vehicle and that they had found this incredibly difficult due to Covid-19 and Brexit restrictions in respect of materials. The applicant had now done everything required to ensure that the vehicle had the relevant paperwork, which was now all in place.

If the applicant was aggrieved by the decision of the Panel, they could appeal to the Magistrates' Court within 21 days of the decision.

The meeting closed at 2.37 pm