

At a meeting of the Licensing Regulatory Panel held in Council Chamber, Allerdale House on Monday 28 February 2022 at 1.00 pm

Members

Councillor Peter Gaston
Councillor William Pegram

Councillor Ron Munby MBE
Councillor Alan Tyson

Apologies for absence were received from Councillor Elaine Lynch

Staff Present

G Collinson, J Morgan and G Roach

411. Election of Chair

Councillor A Tyson was elected Chair for the ensuing meeting.

412. Declaration of Interests

None declared.

413. 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.”

414. To consider an application for a private hire vehicle

The Licensing and Compliance Specialist 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 Senior Specialist – Licensing and Compliance presented the report.

The vehicle was first licensed as a private hire vehicle on 13 February 2015. The licence had expired without a valid renewal application being made.

The applicant had requested to continue with their application for it to be considered by the Licensing Regulatory Panel. An application had been made and received by the Council on 10 February 2022.

It was explained to the Panel that the vehicle had not been tested prior to the expiry date due to confusion caused by previous advice provided by the Council relating to a different licensed vehicle. Confusion had been caused due to a change to the Vehicle Age Policy regarding frequency of vehicle testing. The vehicle had since been tested and had passed.

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

The Senior Specialist – Licensing and Compliance and the applicant's representative then left the meeting while the Panel considered the application.

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

Councillor P Gaston moved the motion to grant the private hire vehicle licence for one year.

This was seconded by Councillor R Munby.

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

The Senior Specialist – Licensing and Compliance and the applicant's representative returned to the meeting.

The applicant's representative was informed of the decision and its reasons.

Decision/Reasons

The Panel had 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. The Panel considered the fact that confusion had been caused as to the testing requirements, that the policy had recently changed and that the vehicle application was now complete. 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 1.31 pm