

At a meeting of the Licensing Regulatory Panel held in Council Chamber, Allerdale House on Tuesday 25 October 2022 at 1.30 pm

Members

Councillor Adrian Kirkbride
Councillor Paul Scott

Councillor William Pegram
Councillor Alan Smith

Apologies for absence were received from Councillor Malcom Grainger

Staff Present

D Fletcher, K Magnay and J Morgan

204. Election of Chair

Councillor A Smith was elected Chair for the ensuing meeting.

205. Declaration of Interests

None received.

206. 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 paragraph 1 of part 1 of Schedule 12A of the Act.

207. To consider an application to grant a hackney carriage vehicle licence

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

The Applicant and 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 hackney carriage vehicle licence for any period up to one year.

The vehicle was licensed as hackney carriage 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 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 P Scott moved the motion to grant the hackney carriage vehicle licence for one year.

This was seconded by Councillor B Pegram.

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 has decided to delegate powers to officers to grant the licence for one year, delegating the power thereafter to the Licensing and Compliance Officer for any subsequent renewal. Although the vehicle now falls outside the Vehicle Age Policy, the vehicle is considered to meet the conditions outlined in section 3 of the Council's Vehicle Age Policy as all of the conditions are now met.

The Panel took account of the extenuating circumstances presented by the applicant and his mother who represented at the hearing.

The Panel requested that officer support be provided for any future applications.

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

208. To consider an application to grant a hackney carriage vehicle licence

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

The Applicant and representatives were in attendance.

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

The vehicle was licensed as hackney carriage 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 and representatives then gave their representations and advised the panel they have been working closely with the Licensing Team and AWS to plan ahead for the renewal dates they also answered questions from members.

The Licensing and Compliance Officer, the applicant and the applicant's representatives 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 A Kirkbride moved the motion to grant the hackney carriage vehicle licence for one year.

This was seconded by Councillor P Scott.

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

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

The applicant was informed of the decision and its reasons.

Decision/Reasons

The Panel has decided to delegate powers to officers to grant the licence for one year, delegating the power thereafter to the Licensing and Compliance Officer for any subsequent renewal. Although the vehicle now falls outside the Vehicle Age Policy, it is now considered to meet the conditions outlined in section 3 of the Council's Vehicle Age Policy.

The Panel took account of the extenuating circumstances presented by the applicant. It considered the fact that the applicant has been working closely with the Licensing Team and AWS, to ensure that in future, they plan test and renewal dates earlier.

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

209. To consider an application to grant a private hire vehicle

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

The Applicant and representatives were 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 and representatives then gave their representations and advised the panel they have been working closely with the Licensing Team and AWS to plan ahead for the renewal dates, they also explained that they have had difficulty sourcing parts, they also answered questions from members.

The Licensing and Compliance Officer, the applicant and representatives 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 A Kirkbride moved the motion to grant the hackney carriage vehicle licence for one year.

This was seconded by Councillor P Scott.

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

The Licensing and Compliance Officer, the applicant and representatives returned to the meeting.

The applicant was informed of the decision and its reasons.

Decision/Reasons

The Panel has decided to delegate powers to officers to grant the licence for one year, delegating the power thereafter to the Licensing and Compliance Officer for any subsequent renewal. Although the vehicle now falls outside the Vehicle Age Policy, it is now considered to meet the conditions outlined in section 3 of the Council's Vehicle Age Policy.

The Panel took account of the extenuating circumstances presented by the applicant. It considered the fact that the applicant has been working closely with the Licensing Team and AWS, to ensure that in future, they plan test and renewal dates earlier.

The Panel also considered the information provided by the applicant about their difficulties in sourcing parts for vehicles within the required timescales.

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

210. To consider an application to grant a hackney carriage vehicle licence

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

The Applicant and representatives were in attendance.

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

The vehicle was licensed as hackney carriage 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 and representatives then gave their representations and advised the panel they have been working closely with the Licensing Team and AWS to plan ahead for the renewal dates they also answered questions from members.

The Licensing and Compliance Officer, the applicant and representatives 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 A Kirkbride moved the motion to grant the hackney carriage vehicle licence for one year.

This was seconded by Councillor P Scott.

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

The Licensing and Compliance Officer, the applicant and representatives returned to the meeting.

The applicant was informed of the decision and its reasons.

Decision/Reasons

The Panel has decided to delegate powers to officers to grant the licence for one year, delegating the power thereafter to the Licensing and Compliance Officer for any subsequent renewal. Although the vehicle now falls outside the Vehicle Age Policy, it is now considered to meet the conditions outlined in section 3 of the Council's Vehicle Age Policy.

The Panel took account of the extenuating circumstances presented by the applicant. It considered the fact that the applicant has been working closely with the Licensing Team and AWS, to ensure that in future, they plan test and renewal dates earlier.

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

211. To consider an application to grant a hackney carriage vehicle licence

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

The Applicant was not in attendance but had provided written representation.

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

The vehicle was licensed as hackney carriage 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 Licensing and Compliance Officer left the meeting while the panel considered the application.

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

Councillor P Scott moved the motion to grant the hackney carriage vehicle licence for one year.

This was seconded by Councillor B Pegram.

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 has decided to delegate powers to officers to grant the licence for one year, delegating the power thereafter to the Licensing and Compliance Officer for any subsequent renewal. Although the vehicle now falls outside the Vehicle Age Policy, it is now considered to meet the conditions outlined in section 3 of the Council's Vehicle Age Policy.

The Panel took into account the extenuating circumstances provided by the applicant in his written representations in making its decision. The Panel would advise the applicant to contact the Licensing Team earlier in the event of further difficulties.

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

The meeting closed at 3.33 pm