

At a meeting of the Licensing Regulatory Panel held in Council Chamber - Allerdale House, Workington on Friday 13 September 2019 at 10.00 am

Members

Councillor Mary Bainbridge
Councillor Alan Smith
Councillor Lynda Williams

Councillor Malcolm Grainger
Councillor Will Wilkinson

Staff Present

D Fletcher, L Jardine and J Morgan

159. Election of Chair

Councillor Grainger was elected chair for the ensuing meeting

160. Declaration of Interests

None declared

161. Questions

None received

162. To consider an application for a Hackney Carriage Vehicle

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

The Applicant was in attendance at the meeting.

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 application to transfer the vehicle was received on 4 September 2019. When the application was considered it was found that the licence that had been issued to PX64 JVE was invalid. The applicant was now required to make an application for a new hackney carriage vehicle licence.

The vehicle was previously licensed under HCV 653. That licence was last issued 3 October 2017 to expire on 2 October 2018. It was transferred to another operator on the 1 May 2018. Unfortunately due to an error when entering that licence on the licensing system, the licence was issued from 3 October 2018 to expire on 2 October 2019. Hackney carriage vehicle licences cannot be issued for any period longer than one year. The licence should have been issued from 30 August 2018 to expire on 29 August 2019.

The vehicle turned four years old on 30 September 2018. Due to the error on the licence the vehicle does not have a current licence to transfer to the

applicant. It falls outside the Vehicle Age Policy as it is over four years of age, so it is not possible to grant a new licence with delegated powers.

The officer's recommendation was to delegate powers to Officers to grant a hackney carriage vehicle licence to the applicant for a period of one year if all requirements of the application were satisfied.

Councillor Wilkinson entered the meeting.

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

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

Members considered the application, the officer's report, and representations from the applicant. The Panel also considered relevant legislation, and the Council's Vehicle Age Policy.

Councillor Smith moved the motion to grant the hackney carriage vehicle licence for 12 months.

This was seconded by Councillor Bainbridge

A vote was taken on the motion to grant the hackney carriage vehicle licence, 4 voted in favour, 0 against and 0 abstentions.

Councillor Wilkinson did not take part in the vote.

The motion was carried.

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

The applicant was informed of the decision and its reasons.

Decisions/Reasons

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

The Panel 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 fell outside the Vehicle Age Policy, it was been outside the control of the applicant. The applicant had done everything required to ensure that the vehicle had the relevant paperwork, which is now all in place.

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

The meeting closed at 10.30 am