

SCARBOROUGH BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

At a meeting to be held at **10.00 am** on **Monday, 21 October 2019**
at the Committee Room, Town Hall, Scarborough

Membership of this Sub-Committee will be:

Councillors Subash Sharma, Roberta Swiers
and Marion Watson

(Substitute Member: Councillor Roxanne Murphy)

AGENDA

1. ELECTION OF CHAIRMAN

To elect a Chairman for this meeting.

2. DECLARATIONS OF INTEREST (Pages 1 - 2)

Members are reminded of the need to consider whether they have a disclosable pecuniary, prejudicial or other (personal) interest to declare in any items on this agenda. Details of any interest must be declared at the start of the meeting or as soon as any interest becomes apparent during the meeting. The attached form must also be completed. Any advice required should ideally be sought before the day of the meeting.

3. EXCLUSION OF THE PUBLIC

To consider the following motion:-

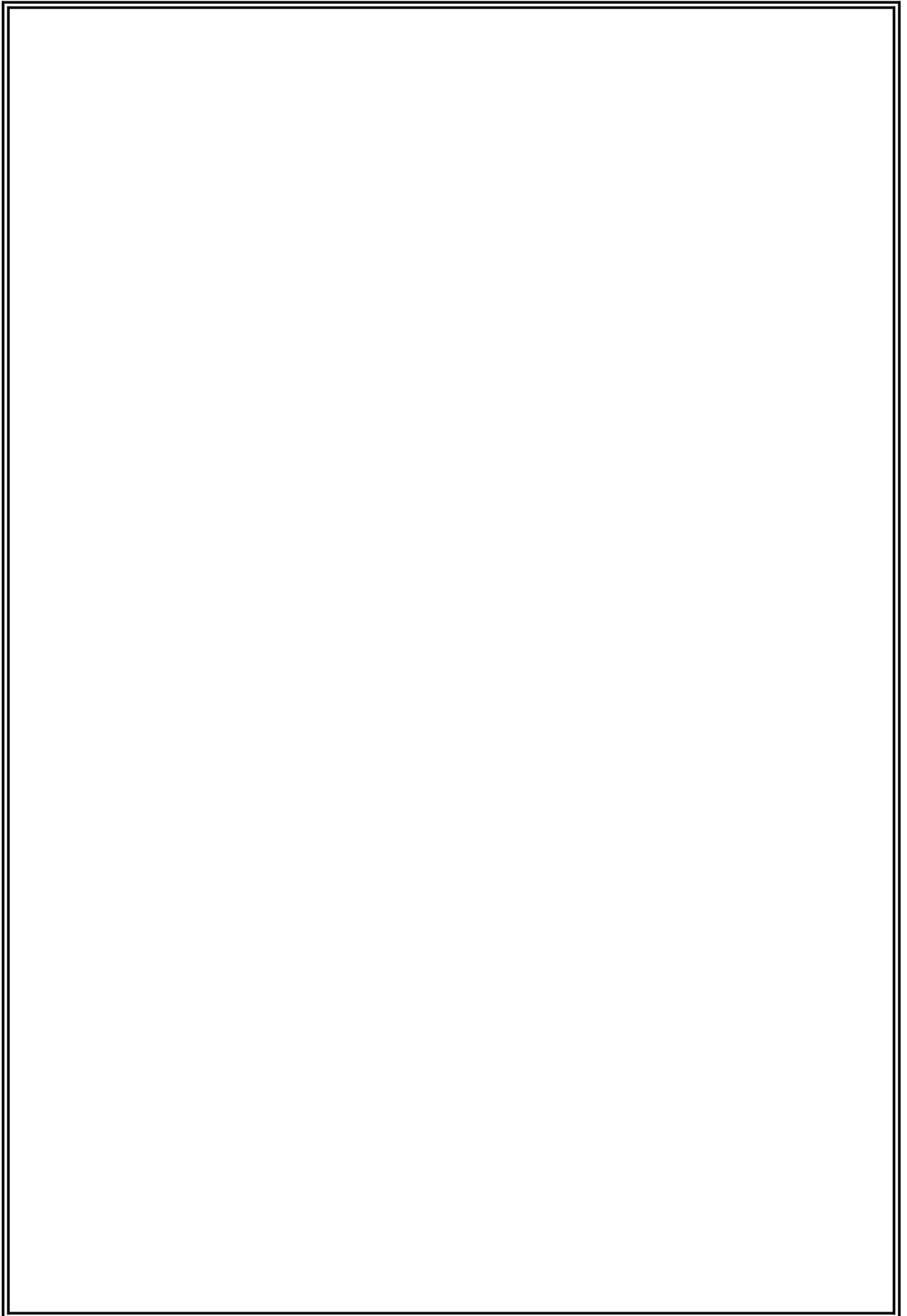
"whether under Section 100A(4) of the Local Government Act 1972, the public should be excluded from the meeting for the following item(s) of business on the ground(s) that it/they involve(s) the likely disclosure of exempt information (as defined in Part 1 of Schedule 12A of the Act). Any such decision is subject to a public interest test as provided by paragraph 10 of Schedule 12A of the Act."

**4. APPLICATION FOR GRANT OF A PRIVATE HIRE LICENCE FIAT DOBLO
- NK59 ARX (Pages 3 - 22)**

To consider a report by the Environment & Regulation Manager (Report Number 19/203 attached).

This report seeks the determination by the Licensing Sub-Committee of a Private Hire licensing application for a vehicle that does not comply with the standard criteria as stated in the Council's Taxi and Private Hire Policy ("the Policy").

(N.B. If you have any questions, need further information about the meeting or require special facilities in order to attend, please contact James Mowbray, Electoral and Democratic Officer, Town Hall, St. Nicholas Street, Scarborough – 01723 232307 or e-mail james.mowbray@scarborough.gov.uk)



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MEMBERS' DECLARATIONS OF INTERESTS

Name:	
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Meeting:	
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Date:	
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Agenda No & Item	
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Nature of Interest:	
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If you are uncertain whether you have an interest, please seek officer advice before the meeting.

Is the interest:
a disclosable pecuniary interest?
personal and non-prejudicial?
personal and prejudicial?

(Please put an X against the appropriate interest and email to the Clerk for the meeting)

NOTES

SCARBOROUGH BOROUGH COUNCIL

LICENSING SUB COMMITTEE

21 October 2019

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976/ TOWN POLICE CLAUSES ACT 1847

REPORT OF THE ENVIRONMENT AND REGULATION MANAGER – 19/203

APPLICATION FOR GRANT OF A PRIVATE HIRE LICENCE FIAT DOBLO – NK59 ARX

1. PURPOSE OF REPORT

To seek the determination by the Licensing Sub-Committee of a Private Hire licensing application for a vehicle that does not comply with the standard criteria as stated in the Council's Taxi and Private Hire Policy ("the Policy").

2. INTRODUCTION

- 2.1 An application for the renewal of a Private Hire licence in respect of a wheelchair accessible vehicle (WAV) that does not comply with the standard criteria has been received electronically, supporting documentation is attached at **Appendix A**.

3. APPLICATION

- 3.1 Members will note that this petrol vehicle was first registered on 12 October 2009 and is therefore over 10 years old, the current vehicle licence expires 31 October 2019. As such the vehicle does not comply with paragraph 2, Appendix E of the Policy, which states that a wheelchair accessible vehicle may only continue to be licensed until 10 years from the date of first registration. (*A non-wheelchair accessible vehicle may only continue to be licensed until 8 years*).
- 3.2 The applicant's supporting documentation includes a letter, the submission is summarised below:
- The vehicle is in very good condition both inside and out and serviced regularly.

- This vehicle is used for a school run for a young girl to Eskdale School and back four days a week, therefore it is also inspected by NYCC on a regular basis.
- That losing the vehicle would reduce the already limited number of wheelchair accessible vehicles within the Whitby area.
- That the vehicle is used by a few regular customers in between who depend on this vehicle for hospital visits and family get togethers. One of the regulars – User 1 is dependant on a low entry wheel chair vehicle for her husband.

3.3 The MOT history is provided for Members and is attached as **Appendix B**.

3.4 Officers can confirm that the vehicle was presented at the Council's testing station on 29 May 2019 and passed the mandatory bi-annual MOT and Compliance Test. The mileage of the vehicle at the time of the test was 36,520 miles.

3.5 Members are encouraged to inspect the vehicle prior to making their decision.

4. OPTIONS

4.1 The Licensing Sub Committee has the following options:

- a) to grant the application
- b) to grant the application with additional conditions
- c) to reject the application

5. DETERMINATION OF THE APPLICATION

5.1 Members must exercise their decision making powers in accordance with the provisions of the Human Rights Act 1998, and the principles of natural justice.

5.2 Members are invited to determine this application following consideration of the evidence presented to them. The procedure for this hearing is available on the Council's website.



Environment and Regulation Manager

Author: Gillian Mealor, Licensing Officer, Town Hall, Scarborough

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E-mail address: licensing.services@scarborough.gov.uk

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT THE AUTHOR.

List of Background Papers

Scarborough Borough Council's Taxi and Private Hire Policy.

NOTES

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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