

## LICENSING SUB-COMMITTEE

At a meeting held on Monday, 21 October 2019

Present:-

Councillor Ms R Swiers (Chairman) in the Chair;  
Councillors S Sharma and Mrs M Watson

### 1. ELECTION OF CHAIRMAN

**RESOLVED** that Councillor Roberta Swiers be elected as Chair.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. EXCLUSION OF THE PUBLIC

The applicant did not make any application for the exclusion of the public.

### 4. APPLICATION FOR GRANT OF A PRIVATE HIRE LICENCE MERCEDES 212 - YX11 ZTD

The Licensing Sub-Committee considered a report by the Environment and Regulation Manager (report 19/204). The Committee also had site of all of Appendix A which included the following documents:

The application details and supporting letter, Appendix B the vehicle MOT certificate.

The Councillors undertook an inspection of the vehicle in the car park.

- i) Oral evidence and submissions from David Ledden.

**RESOLVED** that the application is granted.

The sub-committee notes the following sections of the policy:

1.10 This policy sets out the requirements and standards that must be met and in exercising its discretion in carrying out its regulatory functions the LA shall have regard to this document. However, each application or enforcement measure will be considered on its own merits.

1.13 Notwithstanding the existence of the policy, each application or enforcement measure shall be considered on its own merits. Where it is necessary for the LA to depart substantially from the Policy, clear and compelling reasons shall be given.

#### **Members Reasons;**

It is noted that the vehicle was first registered on the 31/3/2011 and is therefore over 8 years old. The vehicle does therefore not comply with paragraph 1, Appendix E of the policy. This states that a vehicle may continue to be licensed until 8 years from the date of first registration.

In addition Appendix I of the policy states additional points that apply to executive vehicles.

In this case there are a number of compelling reasons to depart from the policy and grant a licence without any additional conditions being added:

1. The condition of the vehicle is immaculate and is maintained to an excellent visual standard. The sub-committee have examined the vehicle both inside and out and are satisfied that the condition of the vehicle has been maintained in accordance with para E4 and E5 of the policy. The vehicle is also said to be driven by a driver who observes a formal dress code.

2. The vehicle is slightly over the 8 year rule.

3. In considering the mileage of the vehicle (around 140,000 miles are on the clock) it should be taken into account that the vehicle is a diesel model.

4. The vehicle passed its MOT and failed the compliance test for not having a present policy in the vehicle. A policy was present in the vehicle today and that is no reflection on the condition of the vehicle.

4. We accept the representations made by David Ledden who is aware of the high standards expected in the maintenance of such a vehicle.

**Chairman**