

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY SUB COMMITTEE A** held on 2 August 2021 at 11.30 am

Present Councillors

D J Knowles, Miss J Norton and
J M Downes

Also Present

Officer(s): Thomas Keating (Specialist Lead (Licensing) Officer),
Deborah Sharpley (Solicitor), Sally Gabriel (Member
Services Manager) and Carole Oliphant (Member Services
Officer)

1 CHAIRMAN - ELECTION

Cllr D J Knowles was duly elected Chairman of the Sub Committee

2 APOLOGIES AND SUBSTITUTE MEMBERS

There were no apologies or substitute Members

3 REMOTE MEETINGS PROTOCOL

The Sub Committee had before it, and **NOTED**, *the Remote Meetings Protocol.

Note: *Protocol previously circulated and attached to the minutes.

4 ACCESS TO INFORMATION - EXCLUSION OF PRESS AND PUBLIC

Prior to consideration of a report from the Operations Manager for Public Health, Housing and Regulatory Services to consider whether or not a license holder was fit and proper to hold a licence (or Licenses) with Mid Devon District Council the Sub Committee discussed whether or not the hearing should be held in public or private. Members considered the circumstances of the case and agreed that the hearing should be conducted in closed session. The following resolution was therefore passed:

ACCESS TO INFORMATION ACT – EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that under section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act, namely information relating to an individual.

(Proposed by the Chairman)

5 A HEARING TO CONSIDER AN APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE

The Specialist Lead Licensing Officer outlined the contents of the report and explained the key aims and objectives within the policy, two of which were particularly relevant to the application:

- Vehicle safety, comfort and access
- Environmental protection

The options before the Sub Committee in relation to the licence were also outlined.

The Specialist Lead Licensing Officer explained that the hearing was to determine if a vehicle licence should be granted to a vehicle which at the time of application was 7 years, 2 months and 14 days old. The Councils Hackney Carriage and Private Hire Policy in place stated that a new licence would not normally be granted if a vehicle was over 5 years old.

The licence holder informed the Sub Committee that the application was missed by four days due to technical issues. That the vehicle was used for long distance journeys for business people, for weddings, funerals and proms.

The Sub Committee then withdrew to consider the evidence.

Having reflected on the evidence presented to the Sub Committee:

The Sub-Committee **RESOLVED** to grant the vehicle licence subject to the Council's vehicle test.

The Sub-Committee considered the following:

- The relevant legislation and Council Policy – in respect of the latter the Euro standard 6 is met, despite the vehicle being over 5 years old
- The case made by the applicant + photographs + additional information provided in writing on 28 June 2021
- The type of vehicle –Mercedes S Class 350
- The condition of the vehicle – very good/high-end executive car
- The mileage of the vehicle – 54,984 miles (08/12/2020)
- The emissions standard of the vehicle - Euro standard 6 compliant
- The type of work that is likely to be carried out in the vehicle - weddings, funerals, proms

(Proposed by the Chairman)

The Solicitor confirmed that written confirmation would be sent to the Licence holder which would include details of the right to appeal.

(The meeting ended at 12.10 pm)

CHAIRMAN