

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **REGULATORY SUB COMMITTEE A** held on 30 June 2016 at 2.00 pm

**Present Councillors** D R Coren and R Wright

**Apology Councillor** R J Chesterton

**Also Present Councillor** Mrs G Doe

**Present Officers** Simon Newcombe (Public Health and Professional Services Manager), Thomas Keating (Lead Licensing Officer) and Sarah Lees (Member Services Officer)

### **1 Apologies and Substitute Members**

Cllr R J Chesterton had sent his apologies for the meeting, he was substituted by Cllr D R Coren. Cllr J L Smith had also sent his apologies.

### **2 Chairman - Election**

**RESOLVED** that Cllr D R Coren be elected Chairman of the Sub Committee for the meeting.

Cllr Coren then took the Chair.

### **3 To consider an application for a private hire vehicle**

The Sub Committee had before it a report \* from the Head of Human Resources and Development. An application had been received by the Licensing department to licence a private hire vehicle. The Hackney Carriage & Private Hire Policy stated that a new licence would not normally be granted if the vehicle was over 5 years old. The vehicle in question was 5 years and 45 days old at the time of the application.

The Members, officers, the applicant and his translator introduced themselves.

There were no interests to declare.

At this point in the proceedings the Chairman stated that the meeting would be temporarily suspended to allow all parties present to view the vehicle. Upon viewing the vehicle the Hearing resumed.

The Public Health and Professional Services Manager outlined the contents of the report reiterating the fact that a new licence would not normally be granted for a car over 5 years old, however, the policy allowed for individual cases to be brought

before a Sub Committee for determination who would consider the circumstances of each case based upon its own merits.

The applicant, Mr Halil Dunes, speaking through his translator, was then invited to present his case. Reference was made to the low emissions emitted by the vehicle in question. It also had stop / start technology and did 15 miles to the gallon more than another vehicle he currently had licenced for taxi purposes. It was further stated that the reason why the licence for the vehicle in question had not been renewed in December 2015 had been because there had not been a demand for the type of use the car was designed for, that is, long journeys such as airport runs and weddings. However, a number of companies had approached the applicant since then to ask if he provided that service hence why he had submitted a new application.

The Sub Committee asked whether the applicant intended to take the existing licenced vehicle off the road? The applicant stated that the two vehicles were used for different purposes. The existing licenced vehicle would be used for journeys around town as a hackney carriage whereas the vehicle in question would mainly be used for the longer journeys, executive use and wedding parties.

The Sub Committee withdrew to consider its decision.

**RESOLVED** that the application for a private hire vehicle licence submitted on 27 May 2016 be granted. The Sub Committee were mindful of the current Hackney Carriage and Private Hire policy and the fact that a 5 year age limit was applied for new applications. However, in exercising the Sub Committee's discretion and considering the individual merits of this application the vehicle was deemed appropriate to licence.

Reasons:

1. The vehicle was viewed by the Sub Committee and thought to be of a high standard. For this reason it was felt customers would be happy to use the vehicle.
2. The mileage at the time of application was considered to be reasonable in terms of the age of the vehicle.
3. The vehicle had passed a taxi test and this was conducted on 23 May 2016. The Sub Committee was reassured that it would have a re-test every 6 months.
4. The vehicle was equipped with stop / start technology.

In consideration of the above reasons the Sub Committee did not consider that the 45 days should be a barrier in granting the licence.

(The meeting ended at 3.05 pm)

**CHAIRMAN**