

No.

## **PUBLIC PROTECTION LICENSING COMMITTEE**

Minutes of a remote meeting held on 17<sup>th</sup> October, 2023.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor P. Drake (Chair); Councillor J.M. Norman (Vice-Chair);  
Councillors G. Bruce, L. Burnett, V.P. Driscoll, C.P. Franks, E. Goodjohn, H.C.  
Hamilton, W.A. Hennessy, N.B. Marshallsea and R. Sivagnanam.

### 446 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

### 447 APOLOGY FOR ABSENCE –

This was received from Councillor M.R. Wilkinson.

### 448 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 19<sup>th</sup> September, 2023 be approved as a correct record.

### 449 DECLARATIONS OF INTEREST –

No declarations of interest were received.

### 450 EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

### 451 APPLICATION TO RENEW HACKNEY CARRIAGE VEHICLE LICENCE (DEH) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

The report was presented by the Licensing Team Manager for Committee to consider an application for the renewal of a hackney carriage vehicle licence,

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advised Committee that C was in attendance at the hearing, was fully able to participate in the hearing, had received the papers that had also been circulated to Committee Members and advised all parties of the procedure for the meeting.

The Licensing Team Manager provided the background to the report to the Committee, referring Members to the testing history for the vehicle in question over the past 5 years and supporting Appendices as attached to the report for the Committee to consider before requesting that C's application be determined by the Committee.

No further questions or points of clarification were sought by Members. The Chair asked the applicant if he wished to make a statement to the Committee. C made a statement to the Committee before having supplemental questions asked by Members on the verbal information provided. Once all questions had been asked, the applicant was asked to leave so the Committee could debate the application, and his oral submission and make a decision.

The Principal Lawyer advised that notification would be sent to the applicant by Licensing Officers within 7 days following the decision of the Committee.

Once the applicant had left the meeting the application was considered by the Committee.

Having fully considered the matter, Committee subsequently:

RESOLVED – T H A T having heard representations from the applicant in respect of an application for the renewal of a hackney carriage vehicle licence, it was unanimously resolved to allow the vehicle to be presented for testing at the Alps Depot, however Members were very concerned about the history of the presentation of the vehicle for previous tests as outlined in the report to Committee.

#### Reason for decision

The Committee endorsed the grave concerns of Officers as to the presentation of the vehicle on many occasions in a dangerous condition and would have been so in being taken on the highway for the purposes of testing. The Committee had noted the need for a large number of Stop and Suspension Notices that had to be issued to the applicant. To that end the Committee would encourage the active monitoring and enforcement of the vehicle at more regular intervals than other vehicles, given the history of the vehicle and the potential breach of conditions attached to the Vehicle Licence by licensing enforcement. The Committee, whilst not dealing with the Hackney Carriage and Private Hire Drivers Licence, were concerned as to the applicant's ability, fitness and propriety to continue to hold such a licence when it had been demonstrated that the applicant had failed to keep the vehicle in a safe and roadworthy condition to ensure the protection of the public, including the presentation of the vehicle with a dirty interior and seats, which would be immediately apparent. The Committee requested that the applicant be issued with a warning as to their future conduct as a licensed driver by the Licensing Department on behalf of the Committee. The Committee also

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strongly recommended that the applicant undertake a thorough vehicle check with a reputable garage prior to the vehicle's next presentation for plating and that written evidence of the same be obtained.