

**MINUTES OF A MEETING OF THE TAXI LICENSING SUB-COMMITTEE HELD AT
BY TEAMS ON WEDNESDAY, 19 OCTOBER 2022**

PRESENT

County Councillor K Lewis (Chair)

County Councillors P James and C Kenyon-Wade

1.	RESOLUTION TO EXCLUDE THE PUBLIC AND THE PRESS
-----------	---

RESOLVED that in accordance with Section 100(a)(4) of the Local Government Act 1972 the public and press were excluded from the meeting on the grounds that there would be disclosure to them of exempt information under Paragraphs 12 and 18 of Schedule 12a Part 7 of the above Act in respect of the following item[s].

2.	APPLICATION FOR A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCE
-----------	--

2.1. Sub-Committee procedures

The Chair introduced the Sub-Committee and its Clerk.

2.2. Application for a vehicle licence - VL/01/22

Applicant – VL/01/22

The Licensing Officer presented the licensing authority's position as outlined in the report [copy filed with the signed minutes].

The Sub-Committee noted the Council's policy that a vehicle first presented for licensing must be less than six years old (from date of first registration). In response to a question the Licensing Officer advised that each application should be judged on an individual basis and that if the Sub-Committee was minded to approve this application it would not be setting a precedent. The Licensing Officer advised that registration of vehicles older than six years at first registration could be allowed if the vehicle was in exceptional condition. He advised that as required under the policy the vehicle had been inspected by an inspector approved by the Licensing Authority at the applicant's expense. In addition, the vehicle had passed an MOT test. The Sub-Committee noted the exceptional condition and low mileage of the vehicle.

In response to a question regarding the duty of care to passengers the Solicitor advised that where councillors make a proper reasoned decision, they would not be liable in a court of law if anything should happen as a result of the decision. The Licensing Officer in response to a question regarding how the change in policy in 2018 was communicated to licence holders, he advised that he was not able to confirm that a paper copy of the new policy was posted to licence holders who did not use emails. He also advised that the rule change would have been referred to in the annual newsletter to licence holders.

The applicant advised that this was an oversight and he recalled a 10 year age rule for vehicles. The Licensing Officer advised the Sub-Committee that this rule related to school transport.

The Sub-Committee withdrew to consider, in private, the application and the evidence they had heard, with the support of the Clerk.

On their return the Chair announced their decision. In reaching the decision members took into account the relevant written and verbal representations.

RESOLVED	Reason for decision
<p>That the application for a vehicle licence made by VL/01/22 be approved.</p>	<p>The Sub-Committee took into account the exceptional condition of the vehicle, the low vehicle mileage, maintenance arrangements and the independent mechanics report and the Authority was unsure whether the change in policy regarding the age of vehicles was communicated by post in 2018 to VL/01/22.</p>

The Sub-Committee suggested that officers consider issuing the newsletter to the trade more frequently and that reminders about policies are included in these.

The Chair thanked all for attending.

County Councillor K Lewis (Chair)