

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
MISCELLANEOUS LICENSING SUB-COMMITTEE
held in Committee Room Two, Council Offices, Woodgreen, Witney, Oxon
at 10.00am on Tuesday 19 December 2017

PRESENT

Councillors: N A MacRae MBE (Chairman); S J Good (Vice-Chairman) and
J C Cooper.

40. MINUTES

RESOLVED: that the minutes of the meeting of the Sub-Committee held on 5 October 2017 be approved as a correct record and signed by the Chairman.

41. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Mr E H James.

42. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to matters to be considered at the meeting.

43. MR M BRENNAN

The Chairman advised that Mr Mike Brennan had recently resigned from the Council for personal reasons. He expressed his thanks to Mr Brennan for his work on the Sub-Committee in previous years.

44. LICENSING ENFORCEMENT

The Chairman advised Members that the Licensing Team had conducted a series of inspections earlier in the month. 10 hackney carriages had been inspected and found to be satisfactory. In addition, Officers had also conducted inspections of various licensed premises and found that licensing conditions were being fully complied with.

Members acknowledged that effective enforcement was an essential aspect of the Council's licensing function.

45. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

46. EXCLUSION OF THE PUBLIC

RESOLVED: That the Sub-Committee being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following item of business there would be a disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)), the public be excluded from the meeting.

47. APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE

The Sub-Committee received and considered the report of the Group Manager of Environmental and Regulatory Services regarding an application for a Private Hire Vehicle Licence.

The Council's Licensing Officer introduced the report and Members noted that the vehicle in question had previously been licensed by the Council.

The Licensing Officer advised that, under the revised Taxi and Private Hire Policy currently the subject of public consultation, it was proposed that Wheelchair Accessible Vehicles would be exempt from the current age restriction.

The Council's Legal Advisor drew particular attention to paragraph 4 of the report and advised Members that the adopted policy was for guidance only. In determining the application, the Sub-Committee needed to be satisfied that the vehicle was suitable in type, size and design for use as a private hire vehicle; not of such design and appearance as to lead any person to believe that the vehicle was a hackney carriage; in a suitable mechanical condition; safe; and comfortable.

Members recognised the importance of providing Wheelchair Accessible Vehicles within the District and, having regard to the information set out in the report and to that provided by the applicant at the meeting, were satisfied that the above requirements had been met.

Accordingly, it was:-

RESOLVED: that the application for a Private Hire Vehicle Licence be approved.

48. APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE

The Sub-Committee received and considered the report of the Group Manager of Environmental and Regulatory Services regarding an application for a Hackney Carriage Drivers Licence.

The Council's Legal Advisor indicated that, the applicant having failed to attend the meeting, the Sub-Committee could determine the application in his absence or defer consideration of the application to a later date.

In order to allow the applicant the opportunity to state his case for the grant of a Hackney Carriage Drivers Licence the Sub-Committee:-

RESOLVED: that consideration of the application be deferred to a later date.

49. REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE

The Licensing Officer introduced the report and details of the endorsements were outlined. The Council's Legal Advisor reminded Members that it was the role of the Sub-Committee to consider and determine whether, in view of the information contained within the report and that provided at the meeting, the licence holder remained a fit and proper person to hold a Hackney Carriage Driver's Licence.

The driver, accompanied by his employer, was then interviewed by the Sub-Committee and presented his case for the retention of a licence, providing details of the circumstances relating to the endorsements on the driving licence.

The Sub-Committee then withdrew to determine the application and, having considered the report and the evidence given by the driver, the Sub-Committee:

RESOLVED: That, in view of the evidence submitted by the driver, no further action be taken and the Hackney Carriage Driver's Licence be not suspended or revoked.

The public was then readmitted to the meeting and, in advising the applicant of the decision, the Chairman cautioned the applicant against accruing any further penalty points.

The meeting closed at 10:20am

CHAIRMAN