

**LICENSING REGULATORY SUB-COMMITTEE**

Minutes of the proceedings at a meeting of the Licensing Regulatory Sub-Committee held in the Assembly Room, Kendal Town Hall, on Monday, 21 June 2021, at 1.30 p.m.

Present

Councillors

Kevin Holmes

Helen Ladhams

David Webster

There were no apologies for absence.

Officers

Linda Fisher

Legal, Governance and Democracy Lead Specialist  
(Monitoring Officer)

Sean Hall

Principal Specialist (Health & Environment)

Louisa Wania

Case Management Officer

**LRS/7 ELECTION OF CHAIRMAN**

RESOLVED – That Councillor Helen Ladhams be elected Chairman for the meeting.

**LRS/8 APOLOGIES AND RECONSTITUTION OF MEMBERSHIP**

There were no apologies and there had been no reconstitution of membership of the Sub-Committee and, therefore, no reconstitution was necessary.

**LRS/9 DECLARATIONS OF INTEREST**

RESOLVED – That it be noted that no declarations of interest were raised.

**LRS/10 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS**

RESOLVED – That it be noted that there are no items in Part II of the Agenda.

**LRS/11 INTRODUCTIONS**

The Chairman made introductions and read out the procedure for the meeting.

**LRS/12 APPLICATION TO LICENCE A HACKNEY CARRIAGE VEHICLE CONTRARY TO VEHICLE AGE LIMIT POLICY**

The Principal Specialist (Health and Environment) presented a report asking the Sub-Committee to consider an application for the renewal of a Hackney Carriage vehicle licence contrary to the vehicle age limit policy. He drew Members' attention especially to the impact that the ongoing COVID-19 pandemic had had on the Applicant's trade.

The Applicant presented their case.

The Applicant answered questions raised by Sub-Committee Members and the Principal Specialist (Health and Environment).

The Applicant summarised their case.

The Applicant presented the vehicle to Members, one person at a time.

The Sub-Committee, supported by the Legal, Governance and Democracy Specialist (Monitoring Officer) then withdrew to consider the application.

The meeting was reconvened at 14.23 p.m. and the Legal, Governance and Democracy Specialist (Monitoring Officer) communicated the Sub-Committee's decision.

The Sub-Committee having heard the facts of the case, having reviewed the personal references and heard the representations made by the Applicant, having carefully considered the circumstances of the application and the SLDC Hackney Carriage and Private Hire Licensing Policy –

RESOLVED – That the application to licence a Hackney Carriage Vehicle contrary to the Vehicle Age Limit Policy be granted for the vehicle bearing the registration mark BK59 UFW. The evidence presented to Members at the hearing and documents contained within the report showed that:

- a. The Applicant's vehicle already undergoes a four-monthly MOT tests in accordance with the Council's Policy due to the vehicle being over 8 years old;
- b. The Applicant's vehicle was last MOT tested on 10<sup>th</sup> March 2021 which passed without any identifiable problems;
- c. The Applicant's Hackney Carriage Inspection for the vehicle, attached at Appendix 1 of the report, did not identify any problems;
- d. The Engineers report and inspection, which was conducted on 10<sup>th</sup> March 2021, did not identify any problem;
- e. The Applicant's vehicle is said to be compliant with the parameters set by 'Euro 4 (EC2005) (please note we have moved to Euro 6);
- f. Members are satisfied with the explanation and reasons provided by the Applicant for wanting to extend the Hackney Carriage Vehicle Licence for a further one year. Namely, that the Applicant is a professional driver whose sole source of income is from working as a Hackney Carriage driver. That the Applicant has been affected by the Coronavirus Pandemic which has led to less passenger footfall from Oxenholme Train Station, thus affecting the Applicant's finances;
- g. Members are satisfied with the current state of the vehicle in light of the evidence before them; and
- h. This application is Applicant's second extension request beyond the Council's Ten Years Age Limit for Hackney Carriage Vehicle.

The Committee wish to raise with the Applicant the Euro 6 requirements.

The meeting ended at 2.26 p.m.