

LICENSING REGULATORY SUB-COMMITTEE

Minutes of the proceedings at a meeting of the Licensing Regulatory Sub-Committee held in the Lowther Room, Kendal Town Hall, on Wednesday, 6 October 2021, at 6.30 p.m.

Present

Councillors

Hazel Hodgson

Kevin Holmes

Helen Ladhams

Apologies for absence were received from Councillors Ian Wharton.

Officers

Steven Hemsley

Specialist (Licensing)

Adam Moffatt

Legal, Governance and Democracy Specialist

Julie Richings

Specialist (Licensing)

Josie Smith

Legal, Governance and Democracy Specialist

LRS/13 ELECTION OF CHAIRMAN

Whilst Councillor Helen Ladhams was initially appointed as Chair for the meeting, a second vote was subsequently taken and it was

RESOLVED – That Councillor Kevin Holmes be elected Chairman for the meeting.

LRS/14 APOLOGIES AND RECONSTITUTION OF MEMBERSHIP

Apologies were received from Councillor Ian Wharton, Councillor Helen Ladhams, acting as the substitute took his place on the Licensing Regulatory Sub-Committee.

LRS/15 DECLARATIONS OF INTEREST

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

LRS/16 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

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

LRS/17 INTRODUCTIONS

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

LRS/18 APPLICATION FOR THE GRANT OF A PRIVATE HIRE VEHICLE LICENCE

The Licensing Specialist presented a report asking the Sub-Committee to consider an application for the grant of a Private Hire Vehicle Licence, explaining that, if granted, this would require the Council to dispense with the current vehicle age limit policy, as the vehicle in question was more than five years old and was not a wheelchair accessible vehicle.

The Applicant presented their case, noting that there had been a great deal of interest in Vintage Lakeland Tours since opening the website, which he hoped to offer with the grant of the Private Hire Vehicle Licence. Following his representation to Members, he presented the Sub-Committee with additional documents for consideration, which included results of a specific brake test, Customer acceptance of Terms and Conditions to be

signed and dated by the customer before any tour begins and the Daily Pre-Use Checklist to ensure the vehicle is in good working order before setting off. These documents were published on the Council's website following the meeting.

The Applicant responded to questions raised by Sub-Committee Members.

The Sub-Committee, supported by the Legal, Governance and Democracy Specialist then withdrew to consider the circumstances put forward and subsequently reconvened to deliver the decision.

The Sub-Committee having heard the facts of the case, having 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 and it was

RESOLVED – That the Sub Committee has considered the application, the report and appendices presented, the representations from the applicant and all responses to questions asked by members of the Sub Committee.

(1) The Sub Committee has reached the conclusion that the application for a private hire licence should be approved subject to the following conditions:

- a. The vehicle must not be used for standard private hire journeys
- b. The vehicle must be used for the provision of pre-booked tours with a set tour fee only
- c. Children under the age of eight must not be carried in the vehicle
- d. Children aged eight and over must be carried in the rear of the vehicle
- e. The vehicle must carry two warning triangles at all times to be used in an emergency or breakdown

(2) The Sub Committee have approved the application for an exemption from the requirements to display private hire plates and signage for the vehicle bearing the registration mark YW7340 due to the nature of the vehicle and the Applicant's business.

Reasons for Decisions:

The Sub Committee are of the view that young children under the age of eight years old may cause a distraction and may be unlikely to remain seated without seatbelt restraints.

The meeting ended at 7.55 p.m.