

LICENSING REGULATORY SUB-COMMITTEE

Minutes of the proceedings at a meeting of the Licensing Regulatory Sub-Committee held in the District Council Chamber - South Lakeland House, Kendal, on Wednesday, 4 July 2018, at 3.30 p.m.

Present

Councillors

Tom Harvey

Helen Ladhams

David Webster

Officers

Inge Booth

Senior Committee Services Officer

Hardeep Burnley

Principal Food, Licensing and Safety Officer

Anthea Lowe

Solicitor to the Council

LRS/8 ELECTION OF CHAIRMAN

RESOLVED – That Councillor Tom Harvey be elected Chairman for the meeting.

LRS/9 APOLOGIES AND RECONSTITUTION OF MEMBERSHIP

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

LRS/10 DECLARATIONS OF INTEREST

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

LRS/11 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

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

LRS/12 INTRODUCTIONS

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

LRS/13 APPLICATION TO RENEW HACKNEY CARRIAGE LICENCE CONTRARY TO VEHICLE AGE LIMIT POLICY (CTTEE REF: LR02-18/19)

The Principal Food, Licensing and Safety Officer presented a report asking the Sub-Committee to consider an application for the renewal of a hackney carriage vehicle licence from Mr Carl Atkinson, a hackney carriage proprietor, prior to his current licence expiring. If granted, the Council would be required to dispense with the current vehicle age limit policy in this instance, if deemed appropriate, as the vehicle in question was more than ten years old and was not a wheelchair accessible vehicle. The Principal Food, Licensing and Safety Officer answered a question raised by a Member.

Mr Atkinson, the applicant, was supported by M/s Hayley Owen, who presented his case which was based on the submission submitted by Mr Atkinson at Appendix A to the report. Mr Atkinson and M/s Owen responded to questions from Members and the Principal Food, Licensing and Safety Officer.

Note - Following a vote, the Sub-Committee, together with the Solicitor to the Council, the Principal Food, Licensing and Safety Officer, Mr Atkinson and M/s Owen, adjourned to view the vehicle at 3.45 p.m., and reconvened at 3.55 p.m.

M/s Owen responded to further questions raised by a Member before making a closing statement on behalf of Mr Atkinson.

Note – The Sub-Committee passed a resolution to adjourn the meeting to exclude the press and public, Mr Atkinson and M/s Owen, in making its decision, pursuant to Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the paragraph indicated:-

Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The Sub-Committee, supported by the Solicitor to the Council, then withdrew to consider the circumstances put forward and subsequently reconvened to deliver the decision.

Having heard the facts of the case, having had regard to the Council's policy on vehicle age limits and having heard the representations made by Mr Atkinson and M/s Owen, the Sub-Committee had considered the circumstances put forward and

RESOLVED – That the Council's age limit policy be dispensed with on this occasion and that Mr Atkinson be granted a renewal for his Hackney Carriage Vehicle Licence for a 12 month period.

The meeting ended at 4.07 p.m.