

Cheltenham Borough Council Licensing Sub-Committee - Miscellaneous Minutes

Meeting date: 6 December 2023

Meeting time: 17.30-20.00

In attendance:

Councillors:

Diggory Seacome, Simon Wheeler, Julie Sankey (Reserve) and Tim Harman (Reserve)

Also in attendance:

Vikki Fennell (Senior Lawyer) and Jason Kirkwood (Licensing Team Leader)

1 Apologies

There were none.

2 Declarations of Interest

There were none.

3 Application for a Private Hire Vehicle Proprietor's Licence

The Licensing Team Leader introduced the report as published. He explained that the reasons for allowing this vehicle are critical as it would be a departure from the policy, there are some drivers that do the amount of mileage that is on the clock of this car in a year. The MOT history for the vehicle in question shows that it has been looked after.

The applicant then addressed the committee and made the following points:

- He made a mistake when he bought the vehicle and thought that the age limit was 8 years and not 5.

- The car has been purchased for airport runs and to seaports. He also does work for Cheltenham Ladies College and GCHQ.
- The car is immaculate and is outside should Members wish to view it.

In response to a Member question the applicant stated that although he had been a driver for 15years he had misunderstood the information on the age of the vehicle.

The matter then went to Member debate where the following points were made:

- The applicant has been to the committee before and he obviously takes his job seriously and is respected by customers.
- The vehicle is obviously a high quality vehicle and has a very low mileage therefore would agree to deviate from policy on this occasion.
- The car has had several MOT's in short period of time, these were done by the garage and the applicant had another one done when he first purchased the vehicle.
- There was concern about setting a precedent if this vehicle is allowed.

The Licensing Team Leader then responded and explained the question regarding the age of the vehicle which is asked upon application. Once a vehicle reaches 8 years it will go to 6 monthly testing. If this vehicle is deemed appropriate as it meets the aims of the policy other than age then it is not setting a precedent and will be based on this individual case only. Every application is considered on its merits, and applicants are always informed that when purchasing a vehicle this should be discussed with the Licensing Team.

The chair summed up by informing the driver that once the vehicle reaches 8 years old it will have to be tested 6 monthly.

The matter then went to the vote.

The vote was unanimously in favour to grant the licence.

4 Local Government Act 1972 Exempt Information

That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 1 and 2, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 1; Information relating to any individual

Paragraph 2; Information which is likely to reveal the identity of an individual

The motion was carried unanimously to enter exempt session.

5 New Private Hire Driver's Licence

The Licensing Team Leader introduced the report as published.

After Member questions, a statement from the driver and Member debate the matter went to the vote.

To Grant – 4 – Unanimous Granted.

6 Review of a Hackney Carriage Driver's Licence

The Licensing Team Leader introduced the report as published. He re iterated to Members that the issue was not something that would cause revocation, however there are concerns that there have been repeated issues. The driver needs to reassure the Council that he is fit and proper.

After Member questions, a statement from the driver and Member debate, the matter then went to the vote to take no further action:

For: 3

Against – 1

No further action to be taken.

7 BRIEFING NOTES

There were none.

8 Any Other Items the Chairman Determines Urgent and Which Requires a Decision

There were none.

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