

Licensing Committee

A meeting of Licensing Committee was held on Tuesday, 21st September, 2010.

Present: Cllr Bill Woodhead (Chairman); Cllr Ken Dixon, Cllr Paul Kirton, Cllr Miss Tina Large, Cllr Colin Leckonby, Cllr Mrs Ann McCoy, Cllr Maurice Perry, Cllr Roy Rix and Cllr Fred Salt.

Officers: M Vaines (DNS); P K Bell, J Nertney (LD).

Also in attendance: Mr Mahmood representing Mr Z S for agenda item 6 - Accident Damaged Vehicle VU54 YZD.

Apologies: Cllr Dick Cains, Cllr Mrs Eileen Craggs, Cllr Jean Kirby, Cllr Alan Lewis and Cllr Mrs Kath Nelson.

L Declarations of Interest

48/10

There were no interests declared.

L Exclusion of the Public

49/10

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

L Accident Damaged Vehicle - X816 FMJ

50/10

Members were informed that the above request had been withdrawn as the accident damaged vehicle had been replaced.

L Accident Damaged Vehicle - SX03 GKZ

51/10

Members were informed that the above request had been withdrawn as the accident damaged vehicle had been replaced.

L Accident Damaged Vehicle - VU54 YZD

52/10

Consideration was given to a report on a request from a vehicle proprietor to depart from the Private Hire and Hackney Policy requirements relating to accident damaged vehicles not having their licence renewed at September/October 2010 renewals in respect of vehicle registration VU54 YZD.

Vehicle registration VU54 YZD was a licensed hackney carriage vehicle, plate number HCV 603, which had been licensed since December 2007 and its licence was due to expire on 30th September 2010.

The vehicle was a Vauxhall Vectra which was first registered on 18/10/2004 and was recorded as being "accident damaged" on its V5 registration document.

A letter has been received from Mr Z S the vehicle proprietor requesting dispensation from the policy requirement not to re-licence this vehicle at the expiry of his licence because of financial hardship.

Mr Z S purchased this vehicle on 2nd August 2010 which was transferred from

the existing proprietor and stated he was not aware of the policy on accident damaged vehicles. A copy of this letter was attached to the report.

Mr Z S had been a licensed driver since November 2006 and would have received consultation documents on the policy. A full copy of the Hackney Carriage and Private Hire Policy was issued to Mr Z S on 29th January 2010.

Mr Mahmood was representing Mr Z S and was in attendance at the meeting and was given the opportunity to state his case.

Mr Mahmood informed Members that the main reason for requesting the Council depart from the policy in this particular case was because the vehicle complied with other policy requirements and financial hardship.

Members felt that it was not in dispute that the vehicle met the previous licensing requirements but Mr Z S was well aware that he had been consulted on the changes in policy requirements prior to its implementation in March 2009. Members also noted that Mr Z S had received a copy of the Council's policy document in January 2010 some seven months before he purchased the vehicle. Not only was Mr Z S fully aware of the policy requirements Mr Mahmood, when questioned, informed Members that Mr Z S was also aware that this vehicle had been accident damaged at the time he purchased it.

Members determined that Mr Z S had not provided any reason sufficient to persuade the Council to depart from the policy and his request was therefore refused.

RESOLVED that the request from vehicle proprietor Mr Z S to depart from the Private Hire and Hackney Policy requirements relating to accident damaged vehicles not having their licence renewed at September/October 2010 renewals in respect of vehicle registration VU54 YZD be refused.

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53/10 **Accident Damaged Vehicle - YC02 RTX**

Members were informed that the above request had been withdrawn as the accident damaged vehicle had been replaced.

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54/10 **Accident Damaged Vehicle - BG52 LNF**

Members were informed that the above request had been withdrawn as the accident damaged vehicle had been replaced.