

TANDRIDGE DISTRICT COUNCIL

LICENSING SUB COMMITTEE

Minutes of the meeting of the Committee held in the Lyndsay Narcisi Room, Council Offices on the 22nd November 2023 at 1:30pm.

PRESENT: Councillors Allen, Crane and Gaffney

1. ELECTION OF CHAIR

Councillor Crane was elected Chair of the meeting.

2. APPLICATION FOR A PRIVATE HIRE VEHICLE SUBMITTED BY STATION CARS LIMITED

Station Cars had applied for a Ford Tourneo HJ21 ZNE to be licenced as a Private Hire Vehicle. Upon review, it became apparent that the vehicle had been salvaged following structural damage sustained in an accident. The Licensing Officer had concluded that the vehicle fell short of the required legal standard for granting a licence. The matter was therefore referred to the Sub-Committee for determination.

Mr Noor Ahmad Alocozi and Mr Sumeet Mishra presented their arguments for the licence being granted and responded to Members' questions. Discussion focused on the post-accident repair report undertaken by Access UK. While this concluded that:

"... we would confirm that vehicle is in a roadworthy condition and safe for use. Under the circumstances we have no hesitation in recommending the vehicle suitable for re-insurance / PHV licensing"

... the report was qualified by the following statement:

"This report is based on a visual examination only and does not cover any condition that dismantling or metallurgical testing would reveal."

The Sub-Committee concluded that the application should be refused and that more robust evidence of the vehicle's roadworthiness would be required before any subsequent licence application could be considered, i.e. demonstrating structural soundness.

R E S O L V E D – that:

- (i) the application be refused in accordance with the Licensing Officer's recommendation;
- (ii) Station Cars be advised that the vehicle should undergo an enhanced safety check to provide more robust evidence that the vehicle has no structural defects; and
- (iii) thereafter, Station Cars could submit a further application for the vehicle to be licenced as a Private Hire Vehicle.

3. APPLICATION FROM AH FOR A HACKNEY CARRIAGE AND PRIVATE HIRE (DUAL) DRIVER LICENCE

This application was withdrawn by the applicant prior to the meeting.

4. APPLICATION FROM SA FOR A HACKNEY CARRIAGE AND PRIVATE HIRE (DUAL) DRIVER LICENCE

The press and public were excluded from this item in accordance with Section 100A (4) of the Local Government Act 1972 (as amended) on the grounds that:

- (i) the item involved the likely disclosure of exempt information as defined in Paragraph 1 (information relating to an individual) of Part 1 of Schedule 12A to the Act; and
- (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

RESOLVED – that the application be refused in accordance with the Licencing Officer's recommendation.

5. APPLICATION FROM DB FOR A PRIVATE HIRE DRIVER LICENCE

The press and public were excluded from this item in accordance with Section 100A (4) of the Local Government Act 1972 (as amended) on the grounds that:

- (i) the item involved the likely disclosure of exempt information as defined in Paragraph 1 (information relating to an individual) of Part 1 of Schedule 12A to the Act; and
- (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

RESOLVED – that the application be granted on the basis that, on the balance of probabilities arising from the case made at the hearing, the applicant is now a 'fit and proper person' as defined by the relevant legislation and statutory guidance and would not pose a risk to the public.

Rising 4.30 pm