

No.

PUBLIC PROTECTION LICENSING COMMITTEE

Minutes of a Remote meeting held on 11th June, 2024.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: Councillor P. Drake (Chair); Councillor J.M. Norman (Vice-Chair);
Councillors G. Bruce, L. Burnett, V.P. Driscoll, R. Fisher, C.P. Franks,
E. Goodjohn, W.A. Hennessy, N. Marshallsea, R. Sivagnanam and S.T. Wiliam.

97 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

98 APOLOGY FOR ABSENCE –

This was received from Councillor M.R. Wilkinson.

99 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 14th May, 2024 be approved as a correct record.

100 DECLARATIONS OF INTEREST –

No declarations of interest were received.

101 EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

No.

102 APPLICATION TO RENEW HACKNEY CARRIAGE VEHICLE LICENCE (DEH) (EXEMPT INFORMATION - PARAGRAPHS 12, 13 AND 14) –

The report was presented by the Licensing Team Manager, the purpose of which was to determine an application for the renewal of a Hackney Carriage Vehicle Licence due to a history of failed MOT and compliance tests.

Following presentation of the report, having fully considered and discussed the contents of both the report and the appendices, and with the Applicant having had the opportunity to make representations in support of their application, Committee subsequently

RESOLVED – T H A T the application to renew the Applicant's Hackney Carriage Vehicle Licence be refused.

Reason for decision

The Committee unanimously resolved to not allow any further testing of the Applicant's vehicle, given the long history of the failed MOT and compliance tests. The Committee were concerned about the maintenance of the vehicle during the six-month test period, and its constant presentation with faults and defects that would place the paying public at risk. Whilst it was accepted that some defects may not have been readily identified, such as emission issues, the maintenance of the tyres and brakes on the vehicle would be. The Committee were of the view that the Applicant was using the vehicle test as a diagnostic for maintenance, and that this would result in the vehicle, prior to its presentation for testing, having been driven on a road when it was not properly maintained, and posed a risk to the public. In addition, the poor vehicle maintenance was a breach of Condition 5 of the Vale of Glamorgan Hackney Carriage licence conditions. The Applicant minimised his role in the maintenance of the vehicle and blamed others, for example the testing depot. The Applicant had very little appreciation of the seriousness of the history of his failures and pattern of his behaviour. The Committee were mindful that the Applicant had been warned about his conduct, and yet continued to present the vehicle, which had been subject to numerous suspension notices upon testing in a poor state. The Committee were not satisfied about the Applicant's fitness and propriety to maintain and be responsible for a road worthy vehicle without posing a danger to the public, and accordingly declined to offer any further opportunity for the vehicle to be tested.