

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Licensing and Enforcement Sub Committee held at Yarty Room, Blackdown House, Honiton on 26 June 2024

Attendance list at end of document

The meeting started at 9.30 am and ended at 10.45 am

1 Minutes of the previous meeting held on 8 May 2024

The minutes of the previous meeting held on 8 May 2024 were agreed and signed as a true record.

2 Declarations of interest

There were no declarations of interest.

3 Matters of urgency

There were no matters of urgency.

4 Confidential/exempt items

There was one item which officers recommended should be dealt with in this way at minute number 8.

5 Determination of an application to license a private hire vehicle which does not comply with the Council's vehicle age policy

The purpose of the item was to determine an application for the grant of a private hire vehicle licence for a vehicle which does not meet the vehicle age criteria set out in the Council's Hackney Carriage and Private Hire Licensing Policy.

The Chair introduced the members of the Sub Committee and the officers in attendance.

The applicant, Mr Maxwell-Batten, was present.

The Legal Advisor, Giles Salter, outlined the procedure to be followed.

The Licensing Officer, Emily Westlake, introduced the report which set out full details of the vehicle and the documentation provided by the applicant.

There were no questions for the Licensing Officer from the Sub Committee or from the applicant.

The applicant addressed the Sub Committee and emphasised the reliability and comfort of this type of vehicle. The vehicle was particularly well suited to the applicant's clients who were predominantly older and required comfort and ease of access. The applicant was of the view that the vehicle was in extremely good condition and the engine had hardly been used.

In response to a question from the Sub Committee, the applicant confirmed that the vehicle history and documentation had been fully checked and that the vehicle had been sourced through a motoring organisation approved garage.

Members of the Sub Committee viewed the vehicle.

Following the vehicle inspection, the Sub Committee had no further questions and the applicant had nothing further to add to the application.

The Chair thanked the applicant for attending and advised that the Sub Committee would retire to make its decision which would be notified in writing within five working days.

The applicant left the meeting.

6 **Consideration of an application under the Police, Factories & etc. (Miscellaneous Provisions) Act 1916 for a Street Collection Permit to permit a collection outside the terms of the council's policy**

The purpose of the item was to determine an application under the Police, Factories etc. (Miscellaneous Provisions) Act 1916 for a Street Collection Permit to permit a collection outside the terms of the Council's policy.

The Chair introduced the members of the Sub Committee and the officers in attendance.

The applicant, Mr Rafferty for the Sidmouth Coastal Community Hub CIC, was present.

The Legal Advisor, Giles Salter, outlined the procedure to be followed.

The Licensing Manager, Phillippa Norsworthy, presented the report which outlined the application for multiple street collections across a number of dates between 6th July and 28th September 2024 to be held at Millennium Walk, Sidmouth.

In response to a question from the Legal Advisor, the Licensing Manager confirmed that the current Street Collections Policy permitted one collection per organisation per year in each of the towns in the East Devon District. This allowed time to be shared between organisations and prevented saturation. The policy also allowed for exceptional circumstances to be considered by the Licensing & Enforcement Committee or Sub Committee.

In response to a question from the Sub Committee, the Licensing Manager advised that most applications for Sidmouth are for street collections in the town centre and not at Millenium Walk, which is some distance away.

The applicant addressed the Sub Committee and advised that the dates set out in the application were primarily for events to raise awareness and share information about the project to provide a disability ramp at Chit Rocks, Sidmouth. The organisers, Sidmouth Coastal Community Hub, were of the view that the events would also be a good opportunity for the public to donate to the project which was included in the Sidmouth Beach Management Plan, and which would benefit both residents and visitors to Sidmouth.

The applicant also advised that he would be happy to hold the events between 10am and 6pm in line with the hours specified in the Street Collections Policy, rather than the hours set out in the application.

There were no questions from the Sub Committee for the applicant.

The Chair thanked the applicant for attending and advised that the Sub Committee would retire to make its decision which would be notified within five working days.

The applicant left the meeting.

7 **Exclusion of press and public**

RESOLVED:

That under Section 100 (A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out in the agenda, is likely to be disclosed and on balance the public interest is in discussing these items in private session (Part B).

8 **Hackney carriage driver suitability**

The purpose of the item was to determine whether the person named in the officer's report is a fit and proper person to be granted a Hackney carriage driver licence.

The Chair introduced the members of the Sub Committee and the officers in attendance.

The applicant was in attendance.

The Legal Advisor, Giles Salter, outlined the procedure to be followed.

The Licensing Officer, Lee Staples, presented the report and outlined the background to the application for a Hackney carriage driver licence.

Members of the Sub Committee had no questions for the Licensing Officer.

The applicant had no questions for the Licensing Officer and addressed the Sub Committee regarding their application.

The Chair thanked the applicant for attending and advised that the Sub Committee would retire to make its decision which would be notified in writing within five working days.

Attendance List

Councillors present:

K Bloxham (Chair)

T Dumper (Vice-Chair)

Y Levine

Councillors also present (for some or all the meeting)

Officers in attendance:

Sarah Jenkins, Democratic Services Officer

Phillippa Norsworthy, Licensing Manager

Giles Salter, Solicitor

Lee Staples, Licensing Officer

Emily Westlake, Licensing Officer

Councillor apologies:

J Whibley

Chair

Date: