

ENVIRONMENT AND LICENSING COMMITTEE

Tuesday, 23rd November, 2010

Councillor R.J. Goodwin (Chairman)

Councillors:	R.G. Kempster (a)	C.P. Barnfather(a)
	W.J. Clarke	R.T. Day
	M.S. Dunkin (a)	P. Feeney(a)
	P.A. Hughes	J.M. Parr
	W.A. Peet	T.J. Pepper
	S.J. Prew-Smith	R.J. Tait (a)
	M.A. Wright	

Officers in attendance: G Palfreyman, F Whyley, S Nickolls, A.Callingham.

46 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barnfather, Dunkin, Feeney and Tait.

47 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 21SEPTEMBER 2010

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record and signed by the Chairman.

48 DECLARATION OF INTERESTS

Councillor W J Clarke declared a personal and prejudicial interest in item 6 as John Reddington of Silverline Chauffeuring was known to him.

49 AMENDMENT OF STATEMENT OF POLICY AND GUIDELINES FOR THE CONSIDERATION OF APPLICATIONS FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS AND PRIVATE HIRE OPERATORS

The Head of Planning and Environment reported that a working party of Officers and Members had convened to review the Statement of Policy and Guidelines for the Consideration of Applicants for Hackney Carriage/Private Hire Drivers and Private Hire Operators on 4 November 2010. The report outlined the proposed amendments to the Policy for consideration by members.

RESOLVED:

To approve the changes proposed and adopt the amended Policy as appended to the report immediately.

50 REQUEST FOR EXEMPTION FROM DISPLAYING FIXED PLATE – EDWARD DANBY NOTTINGHAM EXECUTIVE TRANSPORT

The Head of Planning and Environment reported that Mr Danby had requested that his private hire vehicle be exempt from displaying a vehicle licence plate as he is a chauffeur primarily involved in executive and corporate chauffeuring.

RESOLVED:

- a) That with respect to Nottingham Executive Transport, the requirement to display a vehicle licence plate is waived; and
- b) That the Council issue a notice which will be permanently displayed at all times, in a position to be agreed, inside any licensed vehicle used for chauffeuring purposes, owned by Nottingham Executive Transport.

Councillor W J Clarke left the meeting.

51 REQUEST FOR EXEMPTION FROM DISPLAYING FIXED PLATE – JOHN REDDINGTON, SILVERLINE CHAUFFEURING PRIVATE HIRE.

The Head of Planning and Environment reported that Mr Reddington had requested that his private hire vehicle be exempt from displaying a vehicle licence plate as he is a chauffeur primarily involved in business trips, airport transfers and weddings.

RESOLVED:

- a) That with respect to Silverline Chauffeuring, the requirement to display a vehicle licence plate is waived; and
- b) That the Council issue a notice which will be permanently displayed at all times, in a position to be agreed, inside any licensed vehicle used for chauffeuring purposes, owned by Silverline Chauffeuring.

Councillor W J Clarke returned to the meeting.

52 NOTICES SERVED – PUBLIC PROTECTION SECTION

RESOLVED:

To note the information.

53 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None

54 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED:

That the members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting during consideration of the ensuing reports on the grounds that the report

involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

55 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - DJB

The Committee considered a report from the Head of Planning & Environment regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from DJB. DJB has not previously held a Hackney Carriage/Private Hire Vehicle Driver licence.

DJ B. attended the meeting and addressed the Committee together with his father.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that exceptional circumstances exist which would warrant departure from this Policy.

RESOLVED:

To approve DJB's application for a joint Private Hire/Hackney Carriage Driver's Licence.

56 CHANGE OF CIRCUMSTANCES RELATING TO THE HOLDER OF A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE- MS

The Head of Planning and Environment in relation to MS reported that there had been a change of circumstances.

The Committee was asked what action they wished to take with regard to the change of circumstances.

.M.S. attended the meeting and addressed the Committee together with his solicitor.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is not satisfied on balance that exceptional circumstances exist which would warrant departure from this Policy.

RESOLVED

- i. To suspend MS's Private Hire/ Hackney Carriage Driver's Licence for a period of 28 days on the basis that he is considered to be a fit and proper person to hold a licence but his conduct has fallen below the standard required because of his convictions for plying for hire and driving without insurance.
- ii. Having considered the interests of public safety, that the suspension of the licence will NOT have immediate effect. MS has 21 days within which to surrender his badge.

MS was advised of his right of appeal against the decision of the Committee.

Councillors Prew-Smith and Parr left the meeting.

57 APPLICATION FOR A JOINT HACKNEYCARRIAGE/PRIVATE HIRE DRIVER'S LICENCE- TMR

The Committee considered a report from the Head of Planning & Environment regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from T.M.R.T.M.R has not previously held a Hackney Carriage/Private Hire Vehicle Driver licence.

TMR did not attend the meeting.

RESOLVED:

To defer the application to the next meeting of the Committee.

58 APPLICATION FOR A JOINT HACKNEYCARRIAGE/PRIVATE HIRE DRIVER'S LICENCE CDE

The Committee considered a report from the Head of Planning & Environment regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from CDE.CDE has not previously held a Hackney Carriage/Private Hire Vehicle Driver licence.

CDE attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is not satisfied on balance that exceptional circumstances exist which would warrant departure from this Policy.

RESOLVED

To approve CDE's application for a joint Hackney Carriage/Private Hire Driver's Licence

Councillor Parr returned to the meeting.

59 APPLICATION FOR A JOINT HACKNEYCARRIAGE/PRIVATE HIRE DRIVER'S LICENCE- AA

The Committee considered a report from the Head of Planning & Environment regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from AA. AA has previously held a Hackney Carriage/Private Hire Vehicle Driver licence with Nottingham City Council.

AA attended the meeting and addressed the Committee with his solicitor.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is not satisfied on balance that exceptional circumstances exist which would warrant departure from this Policy.

RESOLVED

To refuse to approve the application from A.A. for a Private Hire/Hackney Carriage Driver's Licence on the basis that he is not considered to be a fit and proper person to hold a licence because of his previous convictions

A.A. was advised of his right of appeal against the decision of the Committee.

Councillor Parr left the meeting.

60 APPLICATION FOR A JOINT HACKNEYCARRIAGE/PRIVATE HIRE DRIVER'S LICENCE- JS

The Committee considered a report from the Head of Planning & Environment regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from JS. JS currently holds a Hackney Carriage/Private Hire Vehicle Driver licence with Nottingham City Council.

JS attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is not satisfied on balance that exceptional circumstances exist which would warrant departure from this Policy.

RESOLVED

To approve J.S's application for a Private Hire/Hackney Carriage Driver's Licence but to issue a warning as to the consequences of any further convictions or appearances before the Committee.

61 INVESTIGATIONS CARRIED OUT BY TAXI LICENSING ENFORCEMENT OFFICER – SEPTEMBER/OCTOBER 2010

RESOLVED:

To note the information

The meeting closed at 5.50pm.