

## **ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday, 22nd May, 2012**

Councillor Councillor M Paling (Chair)

Councillors:	B Andrews	P R Key
	N Brooks	M Lawrence
	G V Clarke (a)	B S R Miller (a)
	R Ellis	J M Parr (a)
	A J Gillam	S Poole
	J Hollingsworth	H T N Wheeler
	M Hope	

Officers in attendance: Diane Blasdale, Rachel Pentlow, Paul Gibbs and Andy Callingham.

### **1 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Clarke, Miller and Parr.

### **2 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 24TH OF APRIL 2012.**

#### **RESOLVED:**

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

### **3 DECLARATION OF INTERESTS.**

None.

### **4 NOTICES SERVED - PUBLIC PROTECTION**

#### **RESOLVED:**

To note the report.

Councillor Poole entered the meeting.

### **5 STREET TRADING REPORT- CHANGE TO THE DESIGNATION OF STREETS IN ARNOLD.**

Consideration was given to a report of the Corporate Director, seeking final approval from the Committee to remove the existing designation of Prohibited Streets on Front Street in Arnold, along with portions of streets that branch off it and to re-designate them as Consent Streets; and to seek approval for the associated policy and procedures.

**RESOLVED:**

- a) That in pursuance of the power conferred upon the Council by virtue of paragraph 2 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, the streets shaded blue on the plan attached to the report be designated as consent streets and that the previous designations made by the Council in respect of those streets as prohibited streets are hereby rescinded. The rescission and designation is to take effect on 1st July 2012;
- b) That authority be granted to the Council Solicitor and Monitoring Officer to advertise the passing of the resolution in a local newspaper on 2 consecutive weeks;
- c) That the Committee approve the General Policy relating to Consent Streets attached to the report;
- d) That authority is granted to the Corporate Director responsible for Licensing to issue Consents and refuse applications for Consent in accordance with the approved policy.

**6 ONE PASSENGER VEHICLES**

Consideration was given to a report of the Corporate Director, following a request from an operator, seeking to make permanent a temporary amendment that was approved by the Committee on the 15th of March and 19th of April 2011, allowing one passenger vehicles to be licensed for private hire. Consideration was also given to a request to amend the specification to allow one passenger vehicles to be licensed as Hackney Carriages.

**RESOLVED:-**

- 1. To approve the permanent amendment to the vehicle specification in relation to one passenger vehicles being licensed as private hire vehicles.
- 2 That there should be no amendments at this stage to the vehicle specification to allow one passenger vehicles to also be licensed as Hackney Carriages.

**7 AMENDMENT TO DELEGATION**

Consideration was given to a report of the Corporate Director seeking to amend delegation arrangements in relation to Hackney Carriage/Private Hire Driver Licence applications.

**RESOLVED:-**

To amend the policy delegation in line with the report allowing the Corporate Director the following authorisation without having to consult with the Chair or Vice-Chair:

‘Authority to grant a Hackney Carriage or Private Hire Driver Licence where the applicant has no previous convictions or cautions.’

‘Authority to grant a Hackney Carriage or Private Hire Driver Licence where the applicant has previous convictions or cautions for Minor Traffic Offences where the number of points endorsed on his/her driving licence is 9 or fewer.’

**8 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.**

None.

**9 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.

**10 RESULT OF APPEAL - DM**

**RESOLVED:**

To note the report.

**11 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - GB**

The Committee considered a report from the Corporate Director – David Wakelin regarding an application for a Joint Hackney Carriage/Private Hire Driver’s Licence from GB.

GB 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 satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

To refuse the application from GB for a Hackney Carriage/Private Hire Drivers Licence on the basis that he is not a fit and proper person to hold a licence because of his previous convictions and his failure to disclose all of these on his application form.

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

**12 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - WAK**

The Committee considered a report from the Corporate Director – David Wakelin regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from WAK

WAK 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 satisfied on balance that exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

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

**13 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - GT**

The Committee considered a report from the Corporate Director – David Wakelin regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from GT.

GT 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 satisfied on balance that exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

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

Councillor Brooks left the meeting.

**14 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MC**

The Committee considered a report from the Corporate Director – David Wakelin regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from MC.

MC 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 satisfied on balance that exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

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

**15 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AMS**

The Committee considered a report from the Corporate Director – David Wakelin regarding an application for a joint Hackney Carriage/Private Hire Driver's Licence from AMS.

AMS attended the meeting and addressed the Committee/ did not attend the meeting.

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 no exceptional circumstances exist which would

warrant departure from this policy.

**RESOLVED:**

To refuse the application from AMS for a Hackney Carriage/Private Hire Drivers Licence on the basis that he is not a fit and proper person to hold a licence because of his previous convictions and his failure to disclose some of these on his application form.

AMS was advised of his right of appeal against the decision of the Committee

**16 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SAFHS**

The Committee considered a report from the Corporate Director – David Wakelin regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from SAFHS.

SAFHS 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 satisfied on balance that exceptional circumstances exist which would warrant departure from this policy.

**RESOLVED:**

To approve SAFHS's application for a Hackney Carriage/Private Hire Drivers Licence, subject to the necessary checks, but to issue a warning as to the consequences of any further convictions or appearances before the Committee.

The meeting closed at 7pm.