



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Environment and Licensing Committee

Date: **Tuesday 7 April 2015**

Time: **4.15 pm**

Place: **Council Chamber**

For any further information please contact:

Lyndsey Parnell

Senior Elections and Members' Services Officer

0115 901 3910

Environment and Licensing Committee

Membership

Chair Councillor Marje Paling

Vice-Chair Councillor Meredith Lawrence

Councillor Bruce Andrews
Councillor Sandra Barnes
Councillor Nicki Brooks
Councillor Roxanne Ellis
Councillor Tony Gillam
Councillor Gary Gregory
Councillor Cheryl Hewlett
Councillor Mike Hope
Councillor Barbara Miller
Councillor John Parr
Councillor Carol Pepper
Councillor Stephen Poole

AGENDA

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- 1 **Apologies for Absence and Substitutions.**
- 2 **To approve, as a correct record, the minutes of the meeting held on 10 March 2015.** 1 - 6
- 3 **Declaration of Interests.**
- 4 **Notices Served** 7 - 10

Report of Corporate Director - David Wakelin
- 5 **Any other item which the Chair considers urgent.**
- 6 **Exclusion of the Press and Public.**

To move 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 report 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.
- 7 **Application for a Joint Hackney Carriage / Private Hire Drivers Licence - AN** 11 - 18

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Report of Corporate Director - David Wakelin

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 10 March 2015

Councillor Marje Paling (Chair)

Present: Councillor Meredith Lawrence Councillor Cheryl Hewlett
Councillor Bruce Andrews Councillor Mike Hope
Councillor Nicki Brooks Councillor Barbara Miller
Councillor Roxanne Ellis Councillor Carol Pepper
Councillor Tony Gillam Councillor Stephen Poole
Councillor Gary Gregory

Absent: Councillor Sandra Barnes and Councillor John Parr

Officers in Attendance: R Pentlow and D Blasdale

189 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Barnes.

Councillor Prew-Smith attended as substitute for Councillor Parr, who gave his apologies.

190 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 10 FEBRUARY 2015.

RESOLVED:

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

191 DECLARATION OF INTERESTS.

None.

192 PROPOSED GENERAL AND TAXI LICENSING FEES FOR 2015/16

Consideration was given to a report of the Service Manager, Public Protection, which had been circulated prior to the meeting, seeking approval to increase taxi licensing fees, subject to advertisement requirements being satisfied, and approval to increase General Fees for the 2015/16 financial year.

A revised Appendix 1 was circulated at the meeting.

RESOLVED to:

1. Approve the fees and charges detailed in Appendix 2 of the report for 2015/16 with effect from 1st April 2015;
2. Approve the fees for taxi operators and vehicle licences as detailed in the revised Appendix 1, as circulated at the meeting, for 2015/16 for advertisement in accordance with the Local Government (Miscellaneous Provisions) Act 1976, such fees to automatically come into force if no objections are received within the statutory period; and
3. Approve the proposed fees for taxi driver's licences detailed in the revised Appendix 1, as circulated at the meeting, for 2015/16 for advertisement and the Corporate Director in consultation with the Chair of Environment and Licensing Committee be authorised to agree the final fees after taking into account any comments received during the consultation period.

193 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

194 EXCLUSION OF THE PRESS AND PUBLIC.

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 the 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.

195 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SJ

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

SJ attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on

balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve SJ's application for a Hackney Carriage/Private Hire Driver's Licence, with a warning as to the necessary consequences of failure to declare any convictions or pending prosecutions to the Licensing Department.

196

APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - JA

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

JA attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

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

197

APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MR

MR did not attend the meeting.

RESOLVED:

To treat the application from MR as withdrawn as a result of a failure to attend Committee on two occasions.

198

APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - KAQ

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

KAQ attended the meeting accompanied by his Father who addressed the Committee on his behalf.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

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

199 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MMS

MMS did not attend the meeting, but did inform the Licensing Department of his inability to attend Committee on this occasion and requested that the application be considered at a future meeting.

RESOLVED:

To defer consideration of the application to a future meeting of the Committee.

200 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - IM

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

IM attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To refuse IM's application for a Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

IM was advised of his right to appeal against the decision of the Committee.

The meeting finished at 5.15 pm

Signed by Chair:
Date:

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Report to Environment and Licensing Committee

Subject: Notices Served
Date: 7th April 2015
Author: Corporate Director

1. Notices served under the Environmental Protection Act 1990 Section 80

Following complaints from members of the public, a notice was served on the owners of a property on Balmoral Road, Colwick on 28th January 2015 to clear away and properly dispose of the accumulated waste and dog faeces from the rear of the property.

Following several visits to the property, a notice was served on the owner of a property on Moor Road, Bestwood on 19th March 2015 to clear away and properly dispose of the accumulation of household waste and debris from the rear of the property.

2. Notices Served under the Housing Act 2004 Section 11 Improvement Notice

Following complaints from neighbours and visits to the property, a notice was served on the owner and trustees of a property on St Alban's Road, Bestwood Village on 6th February 2015 to either renew the existing toilet to ensure it is in full working order or to take out the existing wc and cistern, making good all disturbed surfaces and to provide and fix a suitable new toilet whilst reconnecting existing cold water supply and soil waste pipe. Also to remove the floor covering, open up and examine the floor in the bathroom, renew any defective joists, strengthen and secure existing joists where necessary, to examine the floor boarding and discard any defective floor boards and replace with new ones. To refix the floor board and skirting, leaving the whole floor in a sound and secure state upon completion of the works. The notice has expired; however, the resident of the property has subsequently passed away and the notice has therefore been suspended as it is no longer necessary for the works to be carried out.

3. Notices Served under the Housing Act 2004 Sections 20 & 21 Prohibition Order

Following inspections on the property on 5th February and 12th February 2015, a notice was served on the owners of a property on Godfrey Street, Netherfield on 23rd February 2015

prohibiting its use as a dwelling due to inadequate fire separation and inadequate noise insulation. The property had previously been converted from a single dwelling into two flats. The order comes into force on 23rd March 2015 and the occupants of the property have moved out. The owner intends to convert the property back into a single dwelling house.

4. Notices Served under the Community Protection Notice Section 43 Anti-Social Behaviour, Crime and Policing Act 2014

Following observations made by the Neighbourhood Wardens and the Police, a notice was served on the owner of a dog on Kilnbrook Avenue, Arnold on 2nd February 2015 to keep the dog under control in a public place where members of the public have the right of access at all times, to keep the dog on a short lead in built up areas at all times, to keep the dog muzzled at all times in a public place or where members of the public have the right of access, to keep the dog on an extendable or retractable lead in an open area which members of the public have access to, to not allow the dog to approach and act in an aggressive manner towards other dogs, and not to allow the dog to approach and act in an aggressive manner towards other members of the public. To date the notice seems to have been complied with.

Following complaints from member of the public, a notice was served on the owner of a property on Hooton Road, Carlton on 6th February 2015 to not allow themselves and their visitors to intimidate or cause annoyance or nuisance to other residents, neither they nor their visitors to make any noise that causes annoyance and nuisance to other residents at any time, not to allow visitors to excessively ring other residents' doorbells and not to allow themselves and their visitors to use foul, abusive and aggressive language in communal and shared areas. This notice is not being complied with.

5. Notices Served under the Environmental Protection Act 1990 Sections 87 and 88

Under the above legislation it is an offence if any person throws down, drops or otherwise deposits litter on any public land. The Act also enables the local Authority to operate a fixed penalty scheme whereby the offender may be given the option for paying a fixed penalty within 14 days and so discharge any liability of conviction for that offence by the Court. The current level of fixed penalty is £50.00.

Enforcement has been carried out by Officers for the following offences:

Date of Offence	Location of Offence	Ward	Person Witnessing Offence	Fixed penalty served	Paid	Comments
26/01/2015	Sir John Robinson Way, Daybrook	Daybrook	Neighbourhood Warden	Y	Y	

30/01/2015	Victoria Road, Netherfield	Netherfield & Colwick	Neighbourhood Warden	Y	Y	
13/02/2015	Front Street, Arnold	St Mary's	Neighbourhood Warden	Y	Y	
13/02/2015	Front Street, Arnold	St Mary's	Neighbourhood Warden	Y	Y	
17/02/2015	Front Street, Arnold	St Mary's	Neighbourhood Warden	Y	N	Extended to 2/4/15
19/02/2015	Carlton Hill, Carlton	Carlton	Neighbourhood Warden	Y	Y	
25/02/2015	Carlton Hill, Carlton	Carlton	Neighbourhood Warden	Y	Y	
25/02/2015	Carlton Hill, Carlton	Carlton	Neighbourhood Warden	Y	N	
27/02/2015	Front Street, Arnold	St Mary's	Neighbourhood Warden	Y	Y	
03/03/2015	Nottingham Road, Daybrook	Daybrook	Neighbourhood Warden	Y	Y	
05/03/2015	Front Street, Arnold	St Mary's	Neighbourhood Warden	Y	N	
06/03/2015	Victoria Road, Netherfield	Netherfield & Colwick	Neighbourhood Warden	Y	N	
13/03/2015	Carlton Hill, Carlton	Carlton	Neighbourhood Warden	Y	N	

5. Recommendation

To note the contents of the report.

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