



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

# Agenda

## Environment and Licensing Committee

Date: **Tuesday 6 September 2016**

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Time: **4.15 pm**

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Place: **Council Chamber**

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For any further information please contact:

**Lyndsey Parnell**

Senior Elections and Members' Services Officer

0115 901 3910

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# Environment and Licensing Committee

## Membership

**Chair** Councillor Marje Paling

**Vice-Chair** Councillor Nicki Brooks

Councillor Bruce Andrews  
Councillor Sandra Barnes  
Councillor Bob Collis  
Councillor Gary Gregory  
Councillor Barbara Miller  
Councillor John Parr  
Councillor Carol Pepper  
Councillor Alex Scroggie  
Councillor Jane Walker

## **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 5 July 2016** 5 - 8
- 3 Declaration of Interests.**
- 4 Any other item which the Chair considers urgent.**
- 5 Coroner's Inquest into the Death of M Buckley.** 9 - 10  
  
Report of the Service Manager Public Protection.
- 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 Appeal Against Revocation of a Hackney Carriage/Private Hire Drivers Licence - MW** 11 - 12  
  
Report of Corporate Director-David Wakelin
- 8 Appeal Against Revocation of Hackney Carriage/Private Hire Drivers Licence - NA** 13 - 14  
  
Report of Corporate Director - David Wakelin
- 9 Appeal Against Revocation of Hackney Carriage/Private Hire Driver's Licence - AA** 15 - 16  
  
Report of Corporate Director - David Wakelin

- 10     **Private Hire Operators Licence - Request for Exemption from Displaying a Licence Plate - CJDW**     17 - 20

Report of Corporate Director - David Wakelin

- 11     **Application for Joint Hackney Carriage/ Private Hire Drivers Licence - DI**     21 - 24

Report of Corporate Director - David Wakelin

- 12     **Application for Joint Hackney Carriage/ Private Hire Drivers Licence - NSH**     25 - 28

Report of Corporate Director - David Wakelin

- 13     **Application for a Joint Hackney Carriage/Private Hire Driver's Licence - AI**     29 - 32

Report of Corporate Director David Wakelin

## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 5 July 2016**

Councillor Marje Paling (Chair)

Present:	Councillor Nicki Brooks	Councillor Barbara Miller
	Councillor Bruce Andrews	Councillor John Parr
	Councillor Sandra Barnes	Councillor Carol Pepper
	Councillor Bob Collis	Councillor Alex Scroggie
	Councillor Gary Gregory	Councillor Jane Walker

Officers in Attendance: R Pentlow, L Mellors and F Whyley

**10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

None.

**11 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 7 JUNE 2016**

**RESOLVED:**

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

**12 DECLARATION OF INTERESTS.**

Councillor Barnes declared a non-pecuniary interest in item 6.

**13 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.**

None.

**14 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.

**15 PRIVATE HIRE OPERATORS LICENCE - REQUEST FOR EXEMPTION FROM DISPLAYING A LICENCE PLATE**

Councillor Barnes left the Council Chamber.

Consideration was given to a report by Corporate Director, David Wakelin, regarding an application for a Private Hire Operator's Licence Request from Exemption for displaying a licence plate from IL.

**RESOLVED:**

To approve IL's application for a Private Hire Operator's Licence Exemption for displaying a licence plate.

Councillor Barnes entered the Council Chamber.

**16 APPLICATION TO RENEW JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - FF**

Consideration was given to a report of the Corporate Director, which had been circulated prior to the meeting, regarding an application to renew a Joint Hackney Carriage/Private Hire Driver's Licence from FF.

FF attended the meeting, along with his solicitor and both 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 exceptional circumstances existed which warranted departure from this policy.

**RESOLVED:**

To approve FF's application for a Hackney Carriage/Private Hire Driver's Licence for a period of 1 year and issued with a warning that he must comply with the terms and conditions of his licence, and to notify the Council of any changes to his circumstances.

**17 APPLICATION FOR JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - KW**

KW did not attend the meeting.

**RESOLVED:**

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

**18 APPLICATION FOR THE RENEWAL OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - JA**

Consideration was given to a report of the Corporate Director, which had been circulated prior to the meeting, regarding an application to renew 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. On the basis of what it heard, the Committee was satisfied on balance that exceptional circumstances existed which warranted departure from this policy.

**RESOLVED:**

To approve JA's application for a Hackney Carriage/Private Hire Driver's Licence for a period of 1 year.

**19**

**APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SM**

Consideration was given to a report by Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from SM.

KN 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 approve JA's application for a Hackney Carriage/Private Hire Driver's Licence for a period of 1 year.

The meeting finished at 6.00 pm

Signed by Chair:  
Date:

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## **Report to Environment and Licensing Committee**

**Subject:** Coroner's Inquest into the death of M Buckley

**Date:** 6 September 2016

**Author:** Service Manager, Public Protection

### **Purpose of the Report**

To make members of the Environment & Licensing Committee aware of the Coroner's Inquest, into the death of Mark Buckley as a result of a road traffic collision involving a Mansfield District Council Licensed vehicle.

### **Background**

A private hire driver (Mr W) was driving a vehicle operated by Aaeron Cars licensed by Mansfield District Council. He had been employed by them for some years with a clean record.

On 30 March 2014 at about 0300 hours Mr W was booked to take a family to the airport. Mr W collected them and drove so erratically that the passengers were concerned for their safety. When they got out of the taxi they reported this to the operator, expressing view that the driver's reactions were so slow and erratic that they believed him to be on some form of drugs.

On the return journey from the airport, Mr W (who had no passengers in the vehicle) collided with another vehicle on the A611 Derby Road. The driver of the other vehicle was killed in the accident. Mr W was charged with causing death by dangerous driving and pleaded guilty. He was sentenced to 45 months imprisonment and disqualified from driving for 5 years.

An inquest was held into the death of the other driver; the Judge who sentenced the driver referred the matter back to the Coroner, highlighting matters of general public interest which warranted further scrutiny by the Coroner in line with her duty to prevent further deaths.

The driver concerned is licensed with Mansfield District Council and the Coroner has required information from them about their licensing procedures, to see if there is anything which could have been done to prevent this incident. Gedling

Borough Council (along with all other Nottinghamshire Licensing Authorities) has been named as Proper Interested Parties in the Inquest. This means that we have to respond to the Coroner as and when she requests with information about how we, as a licensing authority, are making changes to ensure such an incident does not recur.

A report for the coroner has to be produced by 6 September setting out the current position in Gedling. A further report has to be submitted by 14 October setting out steps taken/ to be taken to protect the public in situations such as occurred here.

### **Proposal**

Officers in licensing and legal are working on the reports and reviewing relevant policy. A further report will be brought to committee with any recommended changes.

### **Recommendation**

To note the information in the report.

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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