



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

# Agenda

## Environment and Licensing Committee

Date: **Tuesday 17 December 2013**

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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**

Members' Services Officer

0115 901 3910

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# Environment and Licensing Committee

## Membership

**Chair** Councillor Marje Paling

**Vice-Chair** Councillor Meredith Lawrence

Councillor Bruce Andrews  
Councillor Sandra Barnes  
Councillor Nicki Brooks  
Councillor Ged Clarke  
Councillor Roxanne Ellis  
Councillor Tony Gillam  
Councillor Jenny Hollingsworth  
Councillor Mike Hope  
Councillor Barbara Miller  
Councillor John Parr  
Councillor Stephen Poole  
Councillor Henry Wheeler

## AGENDA

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- 2 **To approve, as a correct record, the minutes of the meeting held on 12 November 2013.** 1 - 6
- 3 **Declaration of Interests.**
- 4 **Notices Served** 7 - 10  
  
Report of Corporate Director - David Wakelin
- 5 **Advertisement on Licensed Vehicles - Door Panels** 11 - 12  
  
Report of Corporate Director - David Wakelin
- 6 **Any other item which the Chair considers urgent.**
- 7 **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.
- 8 **Application for Joint Hackney Carriage / Private Hire Driver's Licence - SA** 13 - 22  
  
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- Report of Corporate Director - David Wakelin

## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 12 November 2013**

Councillor Marje Paling (Chair)

Present: Councillor Meredith Lawrence                      Councillor Tony Gillam  
Councillor Bruce Andrews                                      Councillor Mike Hope  
Councillor Sandra Barnes                                        Councillor Barbara Miller  
Councillor Nicki Brooks     Councillor Stephen Poole  
Councillor Ged Clarke     Councillor Henry Wheeler

Absent: Councillor Roxanne Ellis, Councillor Jenny Hollingsworth and Councillor John Parr

Officers in Attendance: R Pentlow and F Whyley

### **100 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Ellis, Hollingsworth and Parr.

### **101 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 29 OCTOBER 2013.**

#### **RESOLVED:**

That the minutes of the above meeting, an amended copy of which were circulated at the meeting, be approved as a correct record.

### **102 DECLARATION OF INTERESTS.**

None.

### **103 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.**

None.

### **104 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.

**105 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SA**

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

SA 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 SA's application for a Hackney Carriage/Private Hire Driver's Licence.

**106 CHANGE OF CIRCUMSTANCES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - JS**

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

JS 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 suspend JS's Hackney Carriage/Private Hire Driver's Licence for 56 days. JS was given 21 days to surrender his licence.

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

**107 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SS**

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

SS 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 SS's application for a Hackney Carriage/Private Hire Driver's Licence with a warning as to the necessary consequences of any further convictions or appearances before Committee.

**108            APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE LICENCE - MK**

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

MK 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 MK's application for a Hackney Carriage/Private Hire Driver's Licence.

**109            APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - KC**

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

KC 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 KC's application for a Hackney Carriage/Private Hire Driver's Licence with a warning as to the necessary consequences of any further convictions or appearances before Committee.

**110 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AA**

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

AA attended the meeting, with his nephew who 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 AA's application for a Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

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

**111 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MT**

Councillor Hope left the meeting.

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

MT 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 MT's application for a Hackney Carriage/Private Hire



Driver's Licence.

**112 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MI**

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

MI attended the meeting, accompanied by his wife, 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 MI's application for a Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

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

The meeting finished at 6.40 pm

Signed by Chair:  
Date:

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

**Subject:** Notices Served

**Date:** 17 December 2013

**Author:** Corporate Director

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

Following complaints from a member of public, a notice was served on the owner of a property on Northside Walk, Arnold on 8<sup>th</sup> October 2013 to clear away accumulations of household waste from the land and maintain the area in such a condition as not to cause a subsequent statutory nuisance. Officers from the Council's Waste Department visited the property on 28<sup>th</sup> October 2013 to carry out works in default, and the owner will be invoiced for the cost of this work.

Following complaints from a member of public, a notice was served on the owner of a property on Honeywood Drive, Carlton on 29<sup>th</sup> October 2013 to stop any banging or thudding noises emanating from the property at such volume or regularity as to constitute a statutory nuisance. Officers are currently investigating a breach of this notice and further legal action is being considered.

Following complaints from a member of public, a notice was served on the owner of a property on Chandos Street, Netherfield on 31<sup>st</sup> October 2013 to clear away and dispose of all refuse and furnishings at the rear of the property, ensuring all items are disposed of in an authorised manner. This notice has not been complied with, so officers from the Council's Waste Department will be instructed to carry out the works in default and the owner will be invoiced for the cost of this work.

Following complaints from a member of public, a notice was served on the owner of a property on Victoria Road, Netherfield on 1<sup>st</sup> November 2013 to clear away and dispose of all waste items, furnishings and litter on land to the rear of this property, ensuring all items are disposed of in an authorised manner. This notice has not been complied with, so officers from the Council's Waste Department will be instructed to carry out the works in default and the owner will be invoiced for the cost of this work.

Following complaints from a member of public, a notice was served on the owner of a property on Stonehouse Terrace, Newstead on 8<sup>th</sup> November 2013 to clear away and properly dispose of the accumulation of household waste and debris from the front and rear of the property. This notice has not been complied with, so officers from the Council's Waste Department will be instructed to carry out the works in default and the owner will be invoiced for the cost of this work.

## **2. Notices Served under the Health and Safety at Work Etc Act 1974 Sections 21, 23 & 24**

Following a visit to the premises on 30<sup>th</sup> October 2013, a notice was served on a Premises on Front Street, Arnold on 30<sup>th</sup> October 2013, due to an uneven section of flooring within the property causing a trip hazard. This notice has been complied with.

## **3. Notices Served under the Food Hygiene (England) Regulations 2006 – Regulation 6**

Following a visit to the premises on 2<sup>nd</sup> October 2013, 3 Food Hygiene Improvement Notices were served on a Premises on Main Street, Woodborough on 8<sup>th</sup> October 2013, due to inadequate food safety documentation and requiring further training of food handlers. The premises was awarded a 0 rating under the Food Hygiene Ratings Scheme. These notices have been complied with and officers are continuing to monitor this premises, and the premises will be re-rated in due course.

Following a visit to the premises on 4<sup>th</sup> October 2013, 2 Food Hygiene Improvement Notices were served on a Premises on Meadow Road, Netherfield on 10<sup>th</sup> October 2013, due to a lack of adequate documentation relating to food practices and procedures and poor hygiene practices and procedures. The premises was awarded a 0 rating under the Food Hygiene Ratings Scheme. These notices have been complied with and officers are continuing to monitor this premises, and the premises will be re-rated in due course.

Following a visit to the premises on 14<sup>th</sup> October 2013, 2 Food Hygiene Improvement Notices were served on a Premises on Carlton Hill, Carlton on 23<sup>rd</sup> October 2013 to ensure an adequate supply of hot and cold running water. These notices have been complied with.

Following a visit to the premises on 30<sup>th</sup> October 2013, a Food Hygiene Improvement Notice was served on a Premises on Front Street, Arnold on 30<sup>th</sup> October 2013, due to a lack of adequate training of staff. This premises will be monitored for compliance with this notice.

## **4. Notices Served under the Housing Act 2004 Section 16**

Following complaints from the tenant of a property on Carlton Hill, Carlton, 6 Housing Improvement Notices were served on the landlord of the property to rectify numerous issues with regards to the general disrepair of the property. Officers will monitor the premises for compliance with these notices.

## 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
05.10.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	Y	
05.10.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	False details given
08.10.13	Civic Centre, Arnold	Kingswell Ward	Neighbourhood Warden	Y	Y	
08.10.13	Byron Street, Daybrook	Daybrook Ward	Neighbourhood Warden	Y	Y	
12.10.13	Victoria Road, Netherfield	Netherfield Ward	Neighbourhood Warden	Y	Y	
12.10.13	Victoria Road, Netherfield	Netherfield Ward	Neighbourhood Warden	Y	Y	
15.10.13	Victoria Road, Netherfield	Netherfield Ward	Neighbourhood Warden	Y	Y	
28.10.13	Coppice Road, Arnold	Killisick Ward	Neighbourhood Warden	Y	N	Sent to Legal 21.11.13
28.10.13	Breck Hill Road, Woodthorpe	Woodthorpe Ward	Neighbourhood Warden	Y	N	
29.10.13	Civic Centre, Arnot Hill Park	Kingswell Ward	Neighbourhood Warden	Y	Y	
02.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	Y	
02.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	Sent to Legal 21.11.13
02.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	Chasing with Newark & Sherwood District Council
16.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	
16.11.13	Front Street, Arnold	St Marys Ward	Neighbourhood Warden	Y	N	

The following cases under the above legislation have been referred to court:

Hearing Date	Case	Outcome
18.11.13	Section 87 EPA	Proved - £200 Fine, £20 Victim Surcharge, £270 Costs

## **6. Recommendation**

**To note the contents of the report.**



## **Report to Environment and licensing Committee**

**Subject:** Advertisements on Licensed Vehicles – Door Panels

**Date:** 17<sup>th</sup> December 2013

**Author:** Corporate Director

### **1. Purpose of the Report**

In accordance with the condition a request has been received from Albatross Cars to allow them to include additional material which includes various slogans. Examples of the proposed signs can be found in Appendix 1

### **2. Background**

Current conditions, for both Hackney Carriage and Private Hire Vehicle's, provides the following in relation to advertising on licensed vehicles:

#### **4. ADVERTISEMENTS**

A Any advertisement on the vehicle shall be confined to a notice fixed to any of the side door panels of the vehicle containing the following information:-

- (i) Name of Operator and
- (ii) Telephone number of Operator.

The design of the notices shall be approved by the Council.

B No other advertising material shall be exhibited on the vehicle without the prior written approval of the Council's Environment and Licensing Committee.'

### **3. Proposal**

Members are asked to consider the request from Albatross Cars

### **4. Resource Implications**

N/A

### **5. Recommendation**

For consideration by the Environment and Licensing Committee

### **6. Appendices**

Appendix 1 – Examples of artwork for the door panels

Appendix 1

1

**ALBATROSS CARS**  
**01332**  
**345-345**  
TAXIS - MINIBUSES - EXECUTIVE  
Serving students since 1983

2

**ADVANCED BOOKINGS ONLY**  
**ALBATROSS**  
(01332)  
**345-345**

3

**ALBATROSS CARS**  
**01332**  
**345-345**  
Download our Booking app NOW

4

**ALBATROSS CARS**  
**01332**  
**345-345**  
Transporting Derby Since 1983



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