



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

Agenda

Environment and Licensing Committee

Date: **Tuesday 14 January 2014**

Time: **4.15 pm**

Place: **Council Chamber**

For any further information please contact:

Lyndsey Parnell

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 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 17 December 2013.** 1 - 6
- 3 **Declaration of Interests.**
- 4 **Hackney Carriage and Private Hire Livery** 7 - 12
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.
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Report of Corporate Director - David Wakelin

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 17 December 2013

Councillor Marje Paling (Chair)

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

Absent: Councillor Bruce Andrews, Councillor Roxanne Ellis,
Councillor Jenny Hollingsworth, Councillor John Parr
and Councillor Stephen Poole

Officers in Attendance: P Gibbs, D Blasdale and K Nealon

113 APOLOGIES FOR ABSENCE.

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

114 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2013.

RESOLVED:

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

115 DECLARATION OF INTERESTS.

None.

116 NOTICES SERVED

RESOLVED:

To note the contents of the report and request that Officers provide Members with a presentation on food hygiene issues.

Councillors Brooks and Wheeler entered the meeting.

117 ADVERTISEMENT ON LICENSED VEHICLES - DOOR PANELS

Consideration was given to a report of the Corporate Director, which had been circulated prior to the meeting, requesting Committee's approval of signage to be displayed on Albatross Cars' vehicles.

RESOLVED:

To approve the sign at Item 2 of the appendix for use by Albatross Cars, and reject items 1,3 and 4.

Councillor Clarke left the meeting.

118 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

119 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.

120 APPLICATION FOR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S 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.

121 APPLICATION FOR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S 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. 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 any further convictions or appearances before Committee.

122 APPLICATION FOR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - AH

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

AH 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 AH'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.

123 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - TPD

The Committee considered a report from Corporate Director, David Wakelin, regarding a change of circumstance of a Joint Hackney Carriage/Private Hire Driver's Licence from TPD.

TPD 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 revoke TPD's Hackney Carriage/Private Hire Driver's License without immediate effect, on the grounds that he is no longer considered a fit and proper person and to give TPD 21 days to surrender his licence.

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

124

CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - KH

The Committee considered a report from Corporate Director, David Wakelin, regarding a change of circumstance of a Joint Hackney Carriage/Private Hire Driver's Licence from KH.

KH 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 revoke KH's Hackney Carriage/Private Hire Driver's License without immediate effect, on the grounds that he is no longer considered a fit and proper person and to give KH 21 days to surrender his licence.

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

125

CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - OA

The Committee considered a report from Corporate Director, David Wakelin, regarding a change of circumstance of a Joint Hackney Carriage/Private Hire Driver's Licence from OA.

OA 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 revoke OA's Hackney Carriage/Private Hire Driver's License without immediate effect, on the grounds that he is no longer considered a fit and proper person and to give OA 21 days to surrender his licence.

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

126 APPLICATION FOR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - TUR

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

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

127 APPLICATION FOR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - JH

Apologies were received from JH who was unable to attend the meeting.

RESOLVED:

To defer consideration of the application for a Hackney Carriage/Private Driver's Licence from JH to a future meeting of the committee.

The meeting finished at 6.55 pm

Signed by Chair:
Date:



Report to the Environment and Licensing Committee

Subject: Hackney Carriage and Private Hire Vehicle Livery

Date: 14th January 2014

Author: Corporate Director

1. Purpose of the Report

The Licensing Section has received a request from a2z Licensing on behalf of DG Cars (Appendix 1) for Members to consider allowing a livery design on their licensed vehicles as attached at Appendix 2. The letter implies that permission under Condition 4 for the vehicle licence conditions is required. This condition relates to the wording of any advertising on the vehicle not the livery. The livery requirement is regulated by the testing manual detailed below.

2. Background

The Council's Supplementary Testing Manual adopted by the Authority states:

'VEHICLE EXTERIOR

METHOD OF INSPECTION

1.7 Examine the external paintwork for damage which adversely affects the appearance of the vehicle (see Notes).

REASONS FOR FAILURE

Exterior of vehicle so dirty that the overall finish of the paintwork cannot be assessed. Paintwork so deteriorated, damaged, rust blistered or stone chipped, that it detracts from the overall appearance of the vehicle. Renovations to paintwork which produce runs, flat or uneven finish or of non-matching colour, ie not compatible with adjacent panels. Repairs incomplete in primer or undercoat.

NOTES

1.7 Hackney Carriage and Private Hire Vehicles should be one solid colour.'

This requirement was originally included to avoid vehicles being licensed where a part of the body of the vehicle was a different colour from the rest of the vehicle.

For example a door panel which may have been acquired from a scrap yard to replace a damaged panel.

3. Proposal

That the Environment and Licensing Committee consider an amendment to the testing manual regarding the livery of vehicles. Subject to the amendment being approved that the Committee consider the request from a2z licensing on behalf of DG Cars as attached to the report.

4. Resource Implications

None

5. Recommendation

Members are requested to approve the following proposals:

1. (a) To delete the following section from the testing manual:

'NOTES

1.7 Hackney Carriage and Private Hire Vehicles should be one solid colour.'

- (b) To insert the following section into the testing manual:

1.7(a) Hackney Carriage and Private Hire Vehicles should be one solid colour. No other colour combination will be allowed without the prior approval of the Environment and Licensing Committee.

2. To consider the request by a2z Licensing on behalf of DG Cars to allow the proposed livery on the vehicle licensed by DG Cars as shown in Appendix 2.

2. Appendices

Appendix 1 – letter from a2z of Licensing on behalf of DG Cars

Appendix 2 – example of livery request

Cllr M Paling and Members of the
Environment and Licensing Committee
Gedling Borough Council
Civic Centre
Arnot Hill Park
Arnold
Nottingham
NG5 6LU

Our Ref: KJR
Your Ref:
Date: 17 October 2013
Please ask for: Kevin Rowland

By email only to:
kevin.nealon@gedling.gov.uk

Dear Cllr Paling,

**Local Government (Miscellaneous Provisions) Act 1976
Hackney Carriage Licence Conditions
Liveries on Hackney Carriage Vehicles**

a2z licensing Ltd are licensing consultants to DG Cars, DG House, Little Tennis Street, Nottingham NG2 4EL and in that respect a signed authorisation has previously been provided to the Licensing Section of Gedling Borough Council.

Part 4 of Gedling Borough Council's standard hackney carriage conditions state:

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.

You will be aware that DG Cars have special dispensation from the Council to also include the word 'Gedling' on the side doors of their vehicles. This dispensation was granted at the Environment and Licensing Committee in February 2013.

DG Cars wish to work in partnership with the Council to promote and where possible improve public safety for customers using their hackney carriages licensed by Gedling Borough Council.

In recent years, there has been an increase in the use of liveries on licensed vehicles nationally. This is in no part due to the introduction of low cost technologies such as vehicle wrapping – where a film is applied to the vehicle in a specific design to promote the company.

It is widely accepted by licensing authorities, the trade and other agencies, such as the Police, that increasing the visibility of licensed vehicles not only improves public safety, because members of the public can easily identify licensed vehicles they have pre-booked or in the case of hackney carriages wish to hail in the street, but, also reduces the risk of unlicensed drivers / vehicles operating within the district.

While the above policy does not restrict the use of vehicle liveries and therefore DG Cars could, if they wished, introduce liveries to their vehicles without Council approval. However, DG Cars would, as a responsible operator, like the approval of the Council prior to implementing a livery.

Attached are basic vehicle graphics, which it is believed fully comply with the requirements of the Council in respect of condition 4 above.

I can confirm that a representative of DG Cars will attend the Environment and Licensing Committee when this matter is considered and we therefore request permission to address the committee and answer questions from Members, should the need arise.

Finally, I should like to thank you and the other Members of the Environment and Licensing Committee for their consideration of this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K. Rowland', with a horizontal line underneath.

Kevin J Rowland
a2z Licensing Ltd

Email: kevin.rowland@a2zlicensing.co.uk
Mobile: 07795 035007



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