

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN

FRIDAY, 17TH JULY 2009 (10.30AM)

Present: Councillors: J Baker (Chairman), Mrs P Hayward (Vice-Chairman), A Buckley, Mrs J Greener, P Harrison, Mrs T L Onslow, M Price, D R Sheppard

Observers

Councillor Philips attended as an observer.

LIC.24 Apologies for Absence

Apologies were received from Councillor Martin and Councillor Kelly

LIC.25 Appointment of Substitutes

No substitutes were appointed

LIC.26 Declaration of Interests

No declarations of interest were made.

LIC.27 Minutes

Decision: The minutes of the meeting held on 19th June 2009 be confirmed as a correct record and signed by the Chairman.

The Chairman agreed to hear item 10 of the agenda first.

LIC.28 Implementation Report on Taxi Deregulation

The Committee received a report (copies of which had been circulated) on the Implementation Report on Taxi Deregulation. The purpose of the report was to appraise Members of the Council's progress with the implementation of the Deregulation Plan which commenced on 1st October 2005 and to agree a proposed response to the current Department for Transport Consultation on 'Taxi & Private Hire Vehicle Licensing: Best Practise Guidance'.

The Director of Planning and Regulatory Services outlined the content of the report and reminded members of the Committee the progress in outlining the implementation plan, in particular the ten objectives that had been previously agreed.

Members were reminded of previous consultations that had been undertaken, and of the overlap between recent consultation, and later consultation on taxi accessibility, which has not been reported on to date. Members were advised that the current Best Practice consultation was unhelpful and extremely poorly timed as the entire section on accessibility was subject to change.

Members discussed the options regarding accessibility and the varying needs of Wyre Forest residents. In response to a point raised by the Committee, Members were advised that although a tariff was not set for private hire operators, their fares were competitive with tariff laid down for hackney carriage drivers. Further discussion ensued and Members debated the merits of the different types of taxis.

Decision:

- 1. To note the progress with the implementation of the Taxi Deregulation Plan.**
- 2 To recommend to Cabinet the responses to the current “Taxi – Private Hire Vehicle Licensing: Best Practise Guidance” consultation as set out at paragraph 5.2 of the report.**

LIC.29

Application to Renew a Hackney Carriage Proprietor’s Licence – Hackney Carriage Number HCO40 beyond the Council’s adopted Policy on Age Criteria (1997)

A report was considered from the Director of Planning and Regulatory Services that asked Members to consider an application for the renewal of a Hackney Carriage Proprietor’s Licence made by Mr Ingle, 5 Comberton Terrace, Kidderminster.

Members had received copies of the application to renew the licence, associated correspondence and a copy of the vehicle inspection form. The Principal Licensing Officer outlined the content of the report and explained that the vehicle fell outside the age criteria. The Committee was asked to consider and inspect the vehicle to determine whether the licence could be extended or not.

At this point, the applicant, his representative and Officers, except for the Solicitor and Committee Officer, left the meeting. The Committee adjourned to examine the vehicle and returned to the Committee upon completion of the examination.

The Committee then considered the application. The Solicitor gave legal advice, as required, and the Committee Officer took the minutes, but neither took any part in the decision making.

The Applicant, his representative, and all those that had left the room were invited to return and the Chairman announced the decision as set out below.

Decision: Having carefully considered the application to grant Hackney Carriage Proprietor’s Licence HC040 in respect of vehicle registration no DS51 FYR. The Licensing Committee has decided: That Hackney Carriage Proprietor’s Licence HC040 for vehicle registration number DS51 FYR be granted for twelve months from 1st July 2009 to 30th June 2010.

LIC.30

Application to Renew a Hackney Carriage Proprietor’s Licence – Hackney Carriage Number HCO41 beyond the Council’s adopted Policy on Age Criteria (1997)

A report was considered from the Director of Planning and Regulatory Services that asked Members to consider an application for the Renewal of a Hackney Carriage Proprietor’s License made by Mr David Watkins of 7 Renfew Gardens, Kidderminster, Worcestershire, DY11 6BA which falls outside of the Age Criteria Policy set by the Council in 1997.

Members had received copies of the application to renew the licence, associated correspondence and a copy of the vehicle inspection form. The Principal Licensing Officer outlined the content of the report and explained that the vehicle fell outside the age criteria. The Committee was asked to consider and inspect the vehicle to determine whether the licence could be extended or not.

Mr Watkins addressed the Committee to speak in support of his application.

At this point, the applicant, his representative and Officers, except for the Solicitor and Committee Officer, left the meeting. The Committee adjourned to examine the vehicle and returned to the Committee upon completion of the examination.

The Committee then considered the application. The Solicitor gave legal advice, as required and the Committee Officer took the minutes, but neither took any part in the decision making.

The Applicant, his representative, and all those that had left the room were invited to return and the Chairman announced the decision as set out below.

Decision: Having carefully considered the application to grant Hackney Carriage Proprietor's Licence HC041 in respect of vehicle registration no EA51 NFU The Licensing Committee has decided:

That Hackney Carriage Proprietor's Licence HC041 for vehicle registration number EA51 NFU not be granted for the following reasons:

- 1. The vehicle falls outside the Age Criteria Policy set by the Council in 1997, and**
- 2. The vehicle is considered not be of such quality for the Committee to depart from the Age Criteria Policy in particular there is:**
 - Extensive body damage to all four quarters of the body including a dent on the passenger side of the boot;**
 - The back seats are in a poor condition and the carpets are worn through in places being contrary to the Council's Hackney Carriage Bye Laws**

LIC. 31

Application to Renew a Hackney Carriage Proprietor's Licence – Hackney Carriage Number HCO26 beyond the Council's adopted Policy on Age Criteria (1997)

A report was considered from the Director of Planning and Regulatory Services that asked Members to consider an application for the Renewal of a Hackney Carriage Proprietor's License made by Holland Taxis of 5 Comberton Terrace, Kidderminster, Worcestershire DY10 1QP which falls outside of the Age Criteria Policy set by the Council in 1997.

Members had received copies of the application to renew the licence, associated correspondence and a copy of the vehicle inspection form. The Principal Licensing Officer outlined the content of the report and explained that the vehicle fell outside the age criteria. The Committee was asked to consider and inspect the vehicle to determine whether the licence could be extended or not.

At this point, the applicant, his representative and Officers, except for the Solicitor and Committee Officer, left the meeting. The Committee adjourned to examine the vehicle and returned to the Committee upon completion of the examination.

The Committee then considered the application. The Solicitor gave legal advice, as required and the Committee Officer took the minutes, but neither took any part in the decision making.

The Applicant, his representative, and all those that had left the room were invited to return and the Chairman announced the decision as set out below.

Decision: Having carefully considered the application to grant Hackney Carriage Proprietor's Licence HC026 in respect of vehicle registration no KP51 XOP. The Licensing Committee has decided: That Hackney Carriage Proprietor's Licence HC026 for vehicle registration number KP51 XOP be granted for twelve months from 1st July 2009 to 30th June 2010 subject to the following:

- **The rear side front bumper and sill below the boot have scratches which need to be rectified by the time of the next inspection.**

LIC.32

Application to Renew a Hackney Carriage Proprietor's Licence – Hackney Carriage Number HCO64 beyond the Council's adopted Policy on Age Criteria (1997)

A report was considered from the Director of Planning and Regulatory Services that asked Members to consider an application for the Renewal of a Hackney Carriage Proprietor's License made by Messrs Ingle and Owen of 5 Comberton Terrace, Kidderminster, Worcs DY10 1QP which falls outside of the Age Criteria Policy set by the Council in 1997.

Members had received copies of the application to renew the licence, associated correspondence and a copy of the vehicle inspection form. The Principal Licensing Officer outlined the content of the report and explained that the vehicle fell outside the age criteria. The Committee was asked to consider and inspect the vehicle to determine whether the licence could be extended or not.

At this point, the applicant, his representative and Officers, except for the Solicitor and Committee Officer, left the meeting. The Committee adjourned to examine the vehicle and returned to the Committee upon completion of the examination.

The Committee then considered the application. The Solicitor gave legal advice, as required and the Committee Officer took the minutes, but neither took any part in the decision making.

The Applicant, his representative, and all those that had left the room were invited to return and the Chairman announced the decision as set out below.

Decision: Having carefully considered the application to grant Hackney Carriage Proprietor's Licence HC064 in respect of vehicle registration no YL51 PWO. The Licensing Committee has decided: That Hackney Carriage Proprietor's Licence HC064 for vehicle registration number YL51 PWO be granted for twelve months from 1st July 2009 to 30th June 2010 subject to the following:

- **The rear side front wing**
- **The left side rear quarter**
- **Off side rear door ;and**
- **Rear side wheel arch**

All have scratches which need to be rectified by the time of the next inspection.

LIC.33

Application to Renew a Hackney Carriage Proprietor's Licence – Hackney Carriage Number HC070 beyond the Council's adopted Policy on Age Criteria (1997)

A report was considered from the Director of Planning and Regulatory Services that asked Members to consider an application for the Renewal of a Hackney Carriage Proprietor's License made by Mr TJ Owen of 5 Comberton Terrace, Kidderminster, Worcs DY10 1QP which falls outside of the Age Criteria Policy set by the Council in 1997

Members had received copies of the application to renew the licence, associated correspondence and a copy of the vehicle inspection form. The Principal Licensing Officer outlined the content of the report and explained that the vehicle fell outside the age criteria. The Committee was asked to consider and inspect the vehicle to determine whether the licence could be extended or not.

At this point, the applicant, his representative and Officers, except for the Solicitor and Committee Officer, left the meeting. The Committee adjourned to examine the vehicle and returned to the Committee upon completion of the examination.

The Committee then considered the application. The Solicitor gave legal advice, as required and the Committee Officer took the minutes, but neither took any part in the decision making.

The Applicant, his representative, and all those that had left the room were invited to return and the Chairman announced the decision as set out below.

Decision: Having carefully considered the application to grant Hackney Carriage Proprietor's Licence HC070 in respect of vehicle registration no DK02 LMF The Licensing Committee has decided: That Hackney Carriage Proprietor's Licence HC070 for vehicle registration number DK02 LMF be granted for twelve months from 1st July 2009 to 30th June 2010.

LIC.34

Statement of Gambling Policy

The Committee received a report (copies of which had been circulated) on the draft statement of Gambling Policy. The purpose of the report was to advise members of the draft and explain that the consultation would begin on the 1st, July commencing on the 30th September 09. The Principal Licensing Officer explained that the policy was in accordance with guidance and best practice and was a common document shared with and developed by all of the Districts within Worcestershire.

Decision: To note that consultation has begun on the 1st July 2009 in the district on the Draft Statement of Gambling policy until 30th September 2009.

LIC.35

Exempt Information

Decision: Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraphs 2, 6 and 7 of Part I of Schedule 12A of the Act.

Summary of Minutes

The following proceedings were considered after the press and public had been excluded from the meeting. A summary of the minutes relating to these items has been made as "exempt Information" would be disclosed if the minutes were published in full.

LIC.36

Minutes

The exempt minutes of the meeting held on the 19th June 2009 were confirmed as a correct record and were signed by the Chairman.

The meeting ended at 12:40 pm