

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

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

WEDNESDAY 7TH SEPTEMBER 2011 (10.00 AM)

Present:

Councillors: J Baker (Chairman), R Bishop, A J Buckley, B T Glass, J Greener, P B Harrison, V Higgs, A T Hingley, M B Kelly, M Price M A Salter and P Hayward.

Observers

Councillor J-P Campion.

LIC.6 Apologies for Absence

There were no apologies for absence.

LIC.7 Appointment of Substitutes

There were no substitutes appointed.

LIC.8 Declaration of Interests

No declarations of interest were made.

LIC.9 Minutes

Decision: The minutes of the meeting held on 1st August 2011 be confirmed as a correct record and signed by the Chairman.

Before the meeting continued, the solicitor informed Members that the Hackney Carriages would be inspected all at once and Members were provided with an itemised comments sheet for them to note their remarks against each taxi. They were reminded that matters should not be discussed whilst outside and to keep any debate for the Council Chamber when they returned.

The Licensing Officer informed Members that the applications to renew the Hackney Carriage Proprietor Licences that were being presented to the Committee fell outside of the Policy adopted by the Council and that they were being asked to assess whether or not the vehicles presented could be an exception to the Policy on the grounds of quality safety and accessibility, mileage and the protection of the travelling public. The Committee were reminded that their decision was to be based on the prime aim of the Council, which was to make travelling in Wyre Forest as safe as possible. He also reminded Members that the Council had a duty to protect the travelling public. All of the taxis before the Committee had been inspected by Licensing Officers and it was felt that none of them were exceptional to the Council's policy. He advised Members that they would have to make a decision as to whether or not they should depart from the policy set in 1997.

It was confirmed that the taxi drivers were present when Officers had inspected the taxis and the drivers were informed verbally that their application had been refused

and would be referred to the Licensing and Environmental Committee where a decision would be made.

Councillor J A Greener arrived at the meeting at this point, (10.11am).

In response to a Members' question, it was confirmed that if any application was refused, there would be a right to appeal within 21 days of the meeting.

Members of the Committee left the Council Chamber to inspect the vehicles at this point (10.20am) and returned to the meeting at 10.52am.

LIC.10 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Robert Edward Ingle of Albany Taxi's, 5 Comberton Terrace, Kidderminster, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer informed Committee Members there were twelve applications to be considered although notification had been received on two applications that they were unable to attend due to accident damage to the vehicles. Members were reminded that some of the taxis had high mileage and were not of the quality required by the Council.

The Licensing Officer led Members through the report relating to vehicle registration number SN52 WEK.

Members were informed that any the licence for any applications granted would run until 30th June 2012 and it was confirmed that all vehicles were currently licenced.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number SN52 WEK. The Committee has decided that a Hackney Carriage Proprietor's Licence HC010 vehicle registration number SN52 WEK be granted for twelve months from 1 July 2011 to 30 June 2012 because on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was presented in a condition that was extremely clean, with no smell and that the tyres and trims were very good which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

LIC.11 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Robert Edward Ingle of Regency Vehicle Hire, 5 Comberton Terrace,

Kidderminster, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to vehicle registration number KR51 XGV.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number KR51 XGV. The Committee has decided that the application for renewal of the Hackney Carriage Proprietors Licence HC020 for Vehicle Registration Number KR51 XGV be refused as it falls outside the Age Criteria Policy set by the Council in 1997 and on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was not presented in an exceptional condition and had excessive mileage and therefore there were no grounds to depart from the Age Criteria Policy in relation to this application.

LIC.12 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Mr Giuseppe Bianco, P & P Central Taxis, Unit G14, Paddington House, New Road, Kidderminster, DY10 1AS, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to vehicle registration number VX52 FNJ.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number VX52 FNJ. The Committee has decided that a Hackney Carriage Proprietor's Licence HC003 vehicle registration number VX52 FNJ be granted, *subject to the owner replacing the front near side wheel cover to the satisfaction of the Licensing Officer within 7 days of this meeting*, for twelve months from 1 July 2011 to 30 June 2012 because, otherwise, on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was for the age of the vehicle presented in an exceptional condition: where the body work was good and that the interior is exceptional and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

LIC.13 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Trevor John Owen of Holland Taxis, 5 Comberton Terrace, Kidderminster, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to vehicle registration number KR51 XOP and confirmed that no vehicle mileage had been recorded as it had been unreadable. The Licensing Officer informed Members that the mileage on the vehicle had been recorded as 340,300 miles on 27th May 2010 and it could be assumed that since that date, an additional 60,000 miles may have been added.

Members were reminded that the meeting was for decisions to be made on the renewal of hackney carriage licences that were beyond the Council's adopted Policy of Age Criteria (1997).

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Councillor A T Hingley left the meeting at this point (12.53pm).

Members perceived that the process of inspecting vehicles all at once did not work and asked that in future each vehicle be inspected one at a time.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number KR51 XOP. The Committee has decided that a Hackney Carriage Proprietor's Licence HC026 vehicle registration number KR51 XOP be granted for twelve months from 1 July 2011 to 30 June 2012 because on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was for the age of the vehicle presented in an exceptional condition: where the body work was good and that the interior is exceptional and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

The meeting was adjourned at 1.10pm and Councillors Buckley, Hayward and Glass left the meeting at this point and recommenced at 1.45pm.

LIC14. Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Mr Lee Bianco, P & P Central Taxis, Unit G14, Paddington House, New Road, Kidderminster, Worcestershire, DY10 1AS as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to registration number OY51 KZG.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and

Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number OY51 KZG. The Committee has decided that a Hackney Carriage Proprietor's Licence HC045 vehicle registration number OY51 KZG be granted for twelve months from 1 July 2011 to 30 June 2012 because on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was for the age of the vehicle presented in an exceptional condition: where the body work was good and that the interior is exceptional and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

LIC.15 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Robert Edward Ingle of Regency Vehicle Hire, 5 Comberton Terrace, Kidderminster, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to vehicle registration number BG51 UJN.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number BG51 UJN. The Committee has decided that the application for renewal of the Hackney Carriage Proprietors Licence HC028 for Vehicle Registration Number BG51 UJN be refused as it falls outside the Age Criteria Policy set by the Council in 1997 and on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was not presented in an exceptional condition: in particular, that there was excessive wear and tear of the condition of the vehicle, and therefore there were no grounds to depart from the Age Criteria Policy in relation to this application.

LIC.16 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

Members were informed that this vehicle (vehicle registration number YK52 WDG) was not available for inspection due to accident damage and would be deferred until a later date.

Decision: The Committee agreed to defer Agenda Item 11.

LIC.17 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services

on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Trevor John Owen of Holland Taxis, 5 Comberton Terrace, Kidderminster, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to vehicle registration DK02 LME. It was confirmed that the vehicle was a Toyota Avensis and not a Primera as stated on the Inspection Street.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number DK02 LME. The Committee has decided that the application for renewal of the Hackney Carriage Proprietors Licence HC031 for Vehicle Registration Number DK02 LME be refused as it falls outside the Age Criteria Policy set by the Council in 1997 and on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was not presented in an exceptional condition: in particular, that there was excessive wear and tear of the condition of the vehicle, and therefore there were no grounds to depart from the Age Criteria Policy in relation to this application.

LIC.18 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

Members were informed that this vehicle (vehicle registration number NU52 CZC) was not available for inspection due to accident damaged and would be deferred until a later date.

Decision: The Committee agreed to defer Agenda Item 13.

LIC.19 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Giuseppe Bianco, P & P Central Taxis, Unit G14, Paddington House, New Road, Kidderminster, DY10 1AS, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to vehicle registration number BF02 MRV.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number BF02 MRV. The Committee has decided that a Hackney Carriage Proprietor's

Licence HC065 vehicle registration number BF02 MRV be granted, *subject to the following works being carried out to the satisfaction of the Licensing Officer within 7 days of this meeting:*

1. *the towing eye cover to be replaced;*
2. *the rear offside bumper to be repaired or replaced (as appropriate); and*
3. *the glazing bar on the rear door window to be repainted,*

for twelve months from 1 July 2011 to 30 June 2012 because, otherwise, on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was for the age of the vehicle presented in an exceptional condition: where the body work was good and that the interior is exceptional and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

LIC.20 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Giuseppe Bianco, P & P Central Taxis, Unit G14, Paddington House, New Road, Kidderminster, DY10 1AS, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members through the report relating to vehicle registration number DY52 NWZ.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number DY52 NWZ. The Committee has decided that a Hackney Carriage Proprietor's Licence HC062 vehicle registration number DY52 NWZ be granted for twelve months from 1 July 2011 to 30 June 2012 because on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was for the age of the vehicle presented in an exceptional condition: where the body work was good and that the interior is exceptional and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

LIC.21 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria

A report was considered from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council that asked the Committee to consider an application for the Renewal of a Hackney Carriage Proprietor's Licence made by Mr Lee Bianco, P & P Central Taxis, Unit G14, Paddington House, New Road, Kidderminster, DY10 1AS, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Licensing Officer led Members taken through the report relating to vehicle registration number FM51 JXR.

Members of the Committee, the Solicitor, Committee/Scrutiny Officer and Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Owen, Mr Bianco, and the Licensing Officers left the meeting whilst the Committee reached their decision.

Decision: Having carefully considered the application to grant a Hackney Carriage Proprietor's Licence in respect of vehicle registration number FM51 JXR. The Committee has decided that the application for renewal of the Hackney Carriage Proprietors Licence HC049 for Vehicle Registration Number FM51 JXR be refused as it falls outside the Age Criteria Policy set by the Council in 1997 and on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that the vehicle was not presented in an exceptional condition: in particular, that there was excessive wear and tear of the condition of the vehicle, and therefore there were no grounds to depart from the Age Criteria Policy in relation to this application.

The meeting ended at 2.45pm.