

WYRE FOREST DISTRICT COUNCIL
LICENSING AND ENVIRONMENTAL COMMITTEE
CIVIC HALL, CIVIC CENTRE, STOURPORT-ON-SEVERN
WEDNESDAY, 25TH JULY 2012 (10.00AM)

Present:

Councillors: P B Harrison (Chairman), A T Hingley (Vice-Chairman), R Bishop, C Brewer, P Dyke, J Greener, P V Hayward, V Higgs, N Knowles, B McFarland, M Price, M A Salter, D R Sheppard, N J Thomas and G C Yarranton.

Observers

There were no members present as observers

LIC.18 Apologies for Absence

Apologies for absence were received from Councillor M B Kelly.

LIC.19 Appointment of Substitutes

Councillor B McFarland was appointed as a substitute for Councillor M B Kelly.

LIC.20 Declarations of Interests by Members

No declarations of interest were made.

Before the meeting continued, the Solicitor reminded Members that the meeting was a continuation of the meeting held on Tuesday 24th July 2012, and would be held in accordance with the code of conduct adopted by Council in June 2012 relating to disclosable pecuniary interests and other disclosable interests. Members were also reminded that when they left the Civic Hall to inspect the taxis, they were still part of the meeting and must conduct themselves accordingly.

LIC.21 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

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 Brian Richard Gilbert of 40 Claines Crescent, Kidderminster DY10 3BU, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number MM54 AWY, and advised the address of the applicant was number 40 Claines Crescent and not 49 as stated on page 7 of the report.

The Chairman invited the applicant to speak on behalf of his application. Mr Gilbert addressed the committee and asked them to support his application.

Members of the Committee left the Civic Hall to inspect the vehicle registration number MM54 AWY at this point (10.16am), and returned at 10.20am.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Gilbert, the Senior Practitioner and Licensing Officer 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 MM54 AWY, the Committee decided that a Hackney Carriage Proprietor's Licence HC014 vehicle registration number MM54 AWY be granted for twelve months from 1st July 2012 to 30th June 2013 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 very good and that the interior is good and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

LIC.22

Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

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 Antonio Maffei of 43 Cairndhu Drive, Kidderminster DY10 2TB, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number KX54 GPF.

Mr Maffei spoke in support of his application.

Members of the Committee left the Civic Hall to inspect the vehicle registration number KX54 GPF at this point (10.42am), and returned at 10.48am.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Maffei, the Senior Practitioner and Licensing Officer 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 KX54 GPF, the Committee decided that a Hackney Carriage Proprietor's Licence HC021 vehicle registration number KX54 GPF be granted for twelve months from 1st July 2012 to 30th June 2013 because on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that there are material grounds to depart from the Age Criteria Policy in relation to this

LIC.23 application; the material grounds being that the vehicle was presented in exemplary condition.
Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

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 Alister Graham Layton of 19 The Orchards, Franche, Kidderminster, Worcestershire DY11 5LJ, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number VN54 BNA.

The Chairman invited the applicant to speak on behalf of his application, Mr Layton declined the invitation.

Members of the Committee left the Civic Hall to inspect the vehicle registration number VN54 BNA at this point (10.59am), and returned at 11.02am.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Layton, the Senior Practitioner and Licensing Officer 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 VN54 BNA, the Committee decided that a Hackney Carriage Proprietor's Licence HC027 vehicle registration number VN54 BNA be granted for twelve months from 1st July 2012 to 30th June 2013 because on inspection of the vehicle the Committee found, in considering quality, safety and accessibility, that there are material grounds to depart from the Age Criteria Policy in relation to this application; the material grounds being that the vehicle was presented in exemplary condition.

LIC.24 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

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 Paul Anthony Laban of 58 Coventry Street, Kidderminster DY10 2BZ, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number CA05 KCZ.

Mr Laban spoke in support of his application.

Members of the Committee left the Civic Hall to inspect the vehicle registration

number CA05 KCZ at this point (11.16am), and returned at 11.24am.

The Chairman read out a note from the proprietor of Scuffs & Scrapes body shop which had been handed to the Licensing Officer, stating a booking had been made for a repair job to be carried out on the rear offside bumper of vehicle registration number CA05 KCZ.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Laban, the Senior Practitioner and Licensing Officer 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 CA05 KCZ, the Committee decided that the application for renewal of the Hackney Carriage Proprietors Licence HC050 for Vehicle Registration Number CA05 KCZ 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,

- (1) there were holes in the rear passenger foot well carpets;**
- (2) there were cigarette burns in the front and rear passenger seats;**
- (3) there was a crack in the drivers door panel; and**
- (4) in general, the interior of the vehicle was in a poor condition and the general presentation of the exterior of the vehicle was also poor,**

and therefore there were no grounds to depart from the Age Criteria Policy in relation to this application.

Councillor P Dyke left the meeting at this point, (11.47pm).

LIC.25 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

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 David Watkins of 7 Renfrew Gardens, Kidderminster DY11 6BA, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number HD54 CYL.

Mr Watkins spoke in support of his application.

Members of the Committee left the Civic Hall to inspect the vehicle registration number HD54 CYL at this point (11.54am), and returned at 12noon.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Watkins, the Senior

Practitioner and Licensing Officer 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 HD54 CYL, the Committee decided that a Hackney Carriage Proprietor's Licence HC069 vehicle registration number HD54 CYL be granted for twelve months from 1st July 2012 to 30th June 2013 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 very good and that the interior is good and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

The Chairman adjourned the meeting at 12.08pm for a short break, the meeting re-convened at 12.20pm.

The Senior Practitioner – Licensing (WRS) advised Members that the next five vehicles were owned by Mr G Bianco who worked in partnership with his Son, and was present to speak on all of the applications.

LIC.26

Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

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 G Bianco of 30 Grosvenor Avenue, Kidderminster DY10 1SS, as it fell outside of the Age Criteria Policy set by the Council in 1997.

The Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number VX52 FNJ.

Mr Bianco spoke in support of the application.

Members of the Committee left the Civic Hall to inspect the vehicle registration number VX52 FNJ at this point (12.29pm), and returned at 12.36pm.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Bianco, the Senior Practitioner and Licensing Officer 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 decided that the application for renewal of the Hackney Carriage Proprietors Licence HC003 for Vehicle Registration Number VX52 FNJ be refused as it falls outside the Age Criteria Policy set by the Council in 1997: in particular, that the vehicle is 9 years and 7 months old, and that the committee considered that there were no grounds to depart from the Age Criteria Policy in relation to this application.

LIC.27 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

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 L Bianco of 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 Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number VN04 GHV.

Mr Bianco spoke in support of the application.

Members of the Committee left the Civic Hall to inspect the vehicle registration number VN04 GHV at this point (12.48pm), and returned at 12.55pm.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Bianco, the Senior Practitioner and Licensing Officer 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 VN04 GHV, the Committee decided that subject to the following works being carried out to the satisfaction of the Licensing Officer within 21 days of this meeting:

1. the scratches and dents on the rear bumper to be repaired;
2. the front bumper to be secured and touched up;
3. the glue on the nearside rear back passenger seat to be taken off;
4. the paint chips to be repaired on both rear light clusters; and
5. the back Hackney Carriage plate to be replaced,

that a Hackney Carriage Proprietor's Licence HC036 vehicle registration number VN04 GHV be granted, for twelve months from 1st July 2012 to 30th June 2013 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 very good and that the interior is good and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

LIC.28 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

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

L Bianco of 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 Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number SW05 GWE.

Mr Bianco spoke in support of the application.

Members of the Committee left the Civic Hall to inspect the vehicle registration number SW05 GWE at this point (13.09pm), and returned at 13.14pm.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Bianco, the Senior Practitioner and Licensing Officer 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 SW05 GWE, the Committee decided that subject to the following works being carried out to the satisfaction of the Licensing Officer within 21 days of this meeting:

- 1. the leads on the front passenger seat well need pushing up and securing;**
- 2. the repair to both near side wheel arches to be properly resprayed; and**
- 3. the rear bumper be properly secured at the nearside rear wheel arch,**

that a Hackney Carriage Proprietor’s Licence HC046 vehicle registration number SW05 GWE be granted, for twelve months from 1st July 2012 to 30th June 2013 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 very good and that the interior is good and clean, which gave the Committee grounds to depart from the Age Criteria Policy in relation to this application.

LIC.29

Application to Renew a Hackney Carriage Proprietor’s Licence Beyond the Council’s adopted Policy of Age Criteria (1997)

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 L Bianco of 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 Senior Practitioner – Licensing (WRS) led Members through the report relating to vehicle registration number DY52 NWZ.

Mr Bianco spoke in support of the application.

Agenda Item No. 4

Members of the Committee left the Civic Hall to inspect the vehicle registration number DY52 NWZ at this point (13.26pm), and returned at 13.31pm.

Members of the Committee, the Solicitor and the Democratic Services Officer stayed in the meeting to deliberate their decision and Mr Bianco, the Senior Practitioner and Licensing Officer 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 decided that the application for renewal of the Hackney Carriage Proprietors Licence HC062 for Vehicle Registration Number DY52 NWZ be refused as it falls outside the Age Criteria Policy set by the Council in 1997 and in particular, that the vehicle is 9 years and 10 months old and that this and on inspection of the vehicle the Committee also found, in considering quality, safety and accessibility, that the vehicle was not presented in an exceptional condition: in particular,

- (1) there was a missing decal on the drivers side door;**
- (2) the interior head lining was soiled and dirty;**
- (3) the dashboard area was unclean; and**
- (4) there were exposed electrical wires in the boot,**

and therefore there were no grounds to depart from the Age Criteria Policy in relation to this application.

LIC.30 Application to Renew a Hackney Carriage Proprietor's Licence Beyond the Council's adopted Policy of Age Criteria (1997)

The Senior Practitioner – Licensing (WRS) advised the Committee that the vehicle registration number SW05 GWF was not available for inspection as it was in the garage having work undertaken on it.

Decision: The agenda item be deferred to the next meeting of the Licensing and Environmental Committee in August 2012.

LIC.31 The Committee requested a review of the adopted Policy of Age Criteria (1997) and requested the item be discussed at a future meeting.

Agreed: The item be placed on the Licensing and Environmental work programme.

There being no further business, the meeting ended at 1.44pm.