

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Helen Bell
direct line 0300 300 4040
date 10 November 2011

NOTICE OF MEETING

LICENSING COMMITTEE

Date & Time

Wednesday, 23 November 2011 9.30 a.m.

Venue at

Priory House, Monks Walk, Shefford.

Richard Carr
Chief Executive

To: The Chairman and Members of the LICENSING COMMITTEE:

Cllrs L Birt (Chairman), K Janes (Vice-Chairman), R D Berry, D Bowater, I Dalgarno, C C Gomm, Mrs D B Green, I A MacKilligan, J A G Saunders, I Shingler, P F Vickers and N Warren

[Named Substitutes:

Mrs J G Lawrence, Ms C Maudlin, D McVicar, J N Young and A Zerny]

All other Members of the Council - on request

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

AGENDA

1. **Apologies For Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

3. **Minutes**

To approve as a correct record the Minutes of the meeting of the Licensing Committee held on 28 September 2011 and Minutes of the Extraordinary Licensing Committee held on 12 October 2011.

(attached)

4. **Members' Interests**

To receive from Members any declarations and the nature in relation to:

- (a) personal interests in any agenda item
- (b) personal and prejudicial interests in any agenda item

5. **Petitions**

To receive petitions in accordance with the scheme of public participation set out in Annex 2 in part A4 of the Constitution.

6. **Public Participation**

To receive any questions, statements or deputations from members of the public in accordance with the Procedure as set out in Appendix 1 to Part A4 of the Constitution.

7. **Exclusion of the Press and Public**

To consider whether to pass a resolution under section 100A of the Local Government Act 1972 to exclude the Press and Public from the meeting for the following item of business on the grounds that the consideration of the item is likely to involve the disclosure of exempt information as defined in paragraph(s) 7 of Part 1 of Schedule 12A of the Act.

Report

<i>Item</i>	<i>Subject</i>	<i>Exempt Para.</i>	<i>Page Nos.</i>
8.	Application for a Hackney Carriage Vehicle licence	* 1	15 - 36

To make a decision whether or not to grant a Hackney Carriage licence to MR R B for the vehicle in view of the age of the vehicle.

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CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **LICENSING COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 28 September 2011

PRESENT

Cllr L Birt (Chairman)

Cllrs R D Berry
D Bowater
I Dalgarno
C C Gomm
Mrs D B Green

Cllrs I A MacKilligan
J A G Saunders
I Shingler
N Warren

Apologies for Absence: Cllrs K Janes
P F Vickers

Substitutes: Cllrs Mrs J G Lawrence

Officers in Attendance: Miss H Bell Committee Services Officer
Mrs M James Licensing and Enforcement Officer
Mr R Johns Environmental Health Officer
Mr M Woolsey Managing Solicitor

L/11/10 **Chairman's Announcements and Communications**

The Chairman announced that there would be the need to convene an Extraordinary meeting of the Committee which would not admit delay until the next scheduled meeting to be held in November. Members would be consulted upon dates.

L/11/11 **Minutes**

RESOLVED

that the Minutes of the meeting held on 8 June 2011 be confirmed and signed by the Chairman as a correct record subject to the recording of Councillor R Berry as being recorded as present.

L/11/12 **Members' Interests**

(a) **Personal Interests:-**

Councillor D Bowater declared an interest in Item 12. As a family Member is involved with Council policies at the Local Better Regulation Office.

(b) **Personal and Prejudicial Interests:-**

There were none.

L/11/13 **Petitions**

The Chairman announced that no petitions had been referred to this meeting.

L/11/14 **Public Participation**

An application had been received in accordance with the Scheme of Public Participation set out in Paragraph 1 of the Scheme of Public Participation set out in annex 1 of Part A4 of the Constitution.

L/11/15 **Exclusion of the Press and Public**

RESOLVED

The Committee resolved to exclude the press and public from the remainder of the meeting under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 7 and 12 of Part I of Schedule 12A of the Act.

L/11/16 **Application for a Private Hire (Special Events) Vehicle Licence (Stretched Limousine)**

The Committee received and considered the report of the Licensing and Enforcement Officer concerning an application for a Private Hire (Special Events) vehicle licence (Stretched events) in respect of Mr A B in view of the age of the vehicle.

A copy of the application form and supporting documents were attached as an appendix for Members' information.

The applicant attended the meeting and made representations in support of the application. The Committee were invited to view the vehicle, which was located in the car park.

In accordance with the procedures for hearings held in private, the applicant and Licensing & Enforcement Officer were asked to withdraw whilst the Committee made their decision. The Committee's deliberation and visual inspection of the vehicle along with its appearance aided the decision process. Following which all who had withdrawn were recalled to hear the decision.

RESOLVED

That the application for a Private Hire Vehicle Licence for Mr A B be granted subject to the necessary repairs on the upholstery being undertaken and the applicant being reminded of his responsibilities to comply with the conditions of the Licence and that the Council has the powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke at any time.

L/11/17

Application for a Private Hire Vehicle Licence

The Committee received and considered the report of the Licensing and Enforcement Officer concerning an application for a Private hire vehicle licence in respect of Mr J H in view of the age of the vehicle.

A copy of the application form and supporting documents were attached as an appendix for Members' information.

The applicant attended the meeting and made representations in support of the application. The Committee were invited to view the vehicle, which was located in the car park.

In accordance with the procedures for hearings held in private, the applicant and Licensing & enforcement Officer were asked to withdraw whilst the Committee made their decision. The Committee's deliberation and visual inspection of the vehicle along with its appearance aided the decision process. Following which all who had withdrawn were recalled to hear the decision.

RESOLVED

that the application for a Private Hire Vehicle Licence for Mr J H be granted subject to the applicant being reminded of his responsibilities to comply with the conditions of the Licence and that the Council has the powers under the Local Government (Miscellaneous Provisions) Act 1976 to revoke the licence at any time.

L/11/18

Re-admittance of Press and Public

RESOLVED

That the Press and Public be re-admitted to the remainder of the meeting.

L/11/19

Hackney Carriages - Review of Policy with regard to Wheelchair accessibility

The Committee received and considered a report of the Director of Sustainable Communities which sought a decision as to whether to change the current policy of requiring all hackney carriages to be wheelchair accessible.

The Committee received representations made under the Public Participation Scheme in accordance with the Scheme of Public Participation Scheme as set out on Paragraph 1, annex 1 of Part A4.

The hackney carriage conditions for Central Bedfordshire include a wheelchair accessible policy. The Committee noted that 225 vehicles are licensed as hackney carriages in Central Bedfordshire, 27 of those are not wheelchair accessible and would need to be replaced by wheelchair accessible vehicles when they reach 10 years old. Therefore, 12% of the current hackney carriage fleet are not wheelchair accessible.

A consultation was undertaken seeking views on whether the policy should be changed to permit a proportion of non wheelchair accessible vehicles. Results of the consultation were detailed in the report. Copies of representations were attached to the report.

The Committee noted that the Law Commission were looking into modernising Private Hire law.

During ensuing discussion upon the report the Committee agreed to retain the current requirement for all hackney carriages to be wheelchair accessible and revisit the matter when the Government makes further recommendations.

RESOLVED

that the current requirement for all hackney carriages to be wheelchair accessible be retained and that the matter be revisited when the Government makes further recommendations in 2014.

L/11/20

Health and Safety (as a Regulator) Service Plan 2011-2012

The Committee received and considered a report of the Director of Sustainable Communities which provided an update on the work carried out by the Health and safety team for June to September 2011.

The Committee asked a number of questions of the Environmental Health Officer presenting the report, relating to investigations that were ongoing at the time. The Committee was informed that a number of cases had been or were being considered for any legal action that could be taken. The Environmental Health Officer noted that investigations of breaches had led to the attempted interview under caution of different parties, but at the present time no action was being taken.

Members were advised that they were able to obtain further specific details of matters by contacting the Public Protection Team, away from the Committee meeting.

The Committee noted that 70 accidents had been reported and 8 improvement notices served. The Safety Advisory Group had met which comprised of representatives of seven different events due to take place in Central

Bedfordshire. It was advised that partnership working was underway with Lincoln University about providing a zoo seminar for other Local Authorities.

RESOLVED

that the Health and Safety Quarterly report for June to September 2011 be noted.

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.50 a.m.)

Chairman

Dated

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CENTRAL BEDFORDSHIRE COUNCIL

At an Extraordinary meeting of the **LICENSING COMMITTEE** held in Council Chamber, priory House, Monks Walk, Shefford on Wednesday, 12 October 2011

PRESENT

Cllr L Birt (Chairman)

Cllrs D Bowater
Mrs D B Green
I A MacKilligan

Cllrs I Shingler
N Warren

Apologies for Absence: Cllrs R D Berry
I Dalgarno
C C Gomm
K Janes
P F Vickers

Substitute: Cllr Mrs J G Lawrence

Officers in Attendance: Miss H Bell Committee Services Officer
Mrs M James Licensing and Enforcement Officer
Mr M Woolsey Managing Solicitor

L/11/21 **Minutes**

It was noted that the Minutes of the Licensing Committee would be circulated and signed at the next scheduled meeting to be held on 23 November 2011.

L/11/22 **Members' Interests**

(a) Personal Interests

There were none.

(b) Personal and Prejudicial Interests

There were none.

L/11/23 **Petitions**

The Chairman announced that no petitions had been referred to this meeting.

L/11/24 Public Participation

No applications had been received in accordance with the Scheme of Public Participation set out in Paragraph 1 of the Scheme of Public Participation set out in annex 1 of Part A4 of the Constitution.

L/11/25 Exclusion of the Press and Public**RESOLVED**

that in accordance with Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 7 and 12 of Part I of Schedule 12A of the Act.

L/11/26 Application for a Private Hire Vehicle Licence

The Committee received and considered the report of the Licensing and Enforcement Officer concerning an application for a Private Hire Vehicle Licence to Mr H M in view of the age of the vehicle.

A copy of the application form and supporting documents were attached as an appendix for members' information.

The applicant attended the meeting and made representations in support of the application. The Committee were invited to view the vehicle, which was located in the car park.

In accordance with the procedures for hearings held in private, the applicant and Enforcement Officer were asked to withdraw whilst the Committee made their decision. The Committee's deliberation and visual inspection of the vehicle along with its appearance aided the decision process. Following which all who had withdrawn were recalled to hear the decision.

RESOLVED

That the application for a Private Hire Vehicle Licence for Mr H M be granted subject to the offside tyres being replaced and the applicant being reminded of his responsibilities to comply with the conditions of Licence and that the Council has the powers under the local Government (Miscellaneous Provisions) Act 1976 to revoke at any time.

L/11/27

Application for a Hackney Carriage Vehicle Licence in view of the age of the vehicle

The Committee received and considered the report of the Licensing and Enforcement Officer concerning an application for a Hackney Carriage Vehicle Licence in view of the age of the vehicle.

A copy of the application form and supporting documents were attached as an appendix for Members' information.

The applicant attended the meeting and made representations in support of the application. The Committee were invited to view the vehicle, which was located in the car park.

In accordance with the procedures for hearings held in private, the applicant and Licensing & Enforcement Officer were asked to withdraw whilst the Committee made their decision. The Committee's deliberation and visual inspection of the vehicle along with its appearance aided the decision process. Following which all who had withdrawn were recalled to hear the decision.

RESOLVED

- (1) That the application for a Hackney Carriage Vehicle Licence for Mrs A K be refused in this case under Paragraph 59 of the Local Government Act 1976 as the Committee does not consider the vehicle to be in exceptional condition.**
- (2) that the Applicant be informed in writing of this right to appeal against this decision to the Magistrates Court and that the appeal must be made within 21 days of written notification of this decision.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.15 a.m.)

Chairman

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