

Committee: LICENSING COMMITTEE

Agenda Item

Date: September 12, 2007

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**Title: Michael Perry, Assistant Chief Executive
(01799 510416)**

Author: LEAD OFFICER'S REPORT

Item for information

Summary

1. This is a general report on information items which do not appear on the agenda.

Recommendations

2. The report be noted.

Background Papers

3. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author.
 - None.

Impact

- 4.

Communication/Consultation	None
Community Safety	None
Equalities	None
Finance	None
Human Rights	None
Legal implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Exercise of Delegated Powers

5. I have not refused any applications for licences under delegated powers since the last committee meeting.

Appeal against a Decision of the Licensing Committee

6. At a meeting of the Committee in March 2007 members resolved to revoke a private hire vehicle driver's licence on the basis that the Committee was not satisfied that the driver remained a fit and proper person to hold such a licence. The basis of the decision was that the driver did not meet licensing standards by virtue of having a conviction for a serious motoring offence as defined by the Council's licensing standards. The driver had been endorsed with 6 points for an offence of driving without insurance. The appeal was listed to be heard on the 24 August. However, having considered papers submitted on behalf of the Council the driver realised that he was unlikely to win the appeal and therefore he withdrew. It was not possible to agree a costs figure with the driver who failed to attend court on 24 August. The Court has therefore adjourned the cost application to be dealt with at a further hearing on 28 September.

Liaison Meeting with Officers and members of the Private Hire/Hackney Carriage Trade

7. Officers meet with members of the trade on a quarterly basis. The last meeting was on 15 August 2007. Operators expressed their surprise that vehicles were passing our inspections if they were not displaying the now compulsory 'no smoking' stickers in the vehicles. However, I explained that this is subject to separate legislation and it would not be appropriate for members to amend the conditions of licence to replicate other statutory regimes. Trade representatives were updated with developments at Stansted Airport and Audley End Station. There was a discussion regarding the hours drivers can drive although there are no statutory restrictions in this regard. Mr Hardy raised an issue for consideration in the future regarding the age of vehicles when they are first registered. The Council's current policy is that vehicles must be no more than 10 years old when first licensed by the Council. I also suggested that in addition to reducing the age of the vehicles when first licensed members of the trade should consider whether there should be an upper age limit above which vehicles (other than specialist vehicles) would not be licensed. There was discussion concerning the frequency with which drivers should have medicals which is expanded upon in a further report attached to the agenda. Mr Hardy updated members of the trade on the proposed requirements for wheelchair accessible vehicles. I notified members of the trade of the next liaison meeting between the trade and the Licensing Committee which would take place on 24 October commencing at 7 o'clock. Mr Drinkwater gave an update on matters arising from ULODA. In particular members of that organisation were concerned that One Railway

have entered into an exclusive agreement for permits to use the rank at Audley End Station with HCDA.

Hackney Carriages at Audley End Station

8. Members of ULODA had a meeting with the Chief Executive when they expressed their concerns at the exclusive arrangement entered into between One Railway and HCDA. The Chief Executive wrote to One Railway and was informed that where ranks are situated on the company's property they control the access of taxis to the station by way of permits. Whilst in the past permits have been issued on an individual basis they are now moving away from this method of operation and their preferred option is to work with a local hackney carriage association. It is not their practice to enter into agreements with associations which represent both hackney and private hire elements of the trade.

Risk Analysis

9. There are no risks associated with this report.