



GREAT YARMOUTH
BOROUGH COUNCIL

Licensing Committee

Date: Monday, 10 September 2018

Time: 18:30

Venue: Supper Room

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

- 3 MINUTES 3 - 4**
- To confirm the minutes of the meeting held on the 23 July 2018.
- 4 PRIVATE HIRE VEHICLE 5 - 6**
- Report attached.
- 5 VEHICLE OVER 9 YEARS OLD 7 - 15**
- Report attached.
- 6 ANY OTHER BUSINESS**
- To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.
- 7 EXCLUSION OF PUBLIC**
- In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-
- "That under Section 100(A)(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 involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."
- 8 HACKNEY CARRIAGE DRIVER - 1**
- Details
- 9 HACKNEY CARRIAGE DRIVER - 2**
- Details
- 10 CONFIDENTIAL MINUTES**
- Details

Licensing Committee

Minutes

Monday, 23 July 2018 at 18:30

Councillor Lawn (in the Chair); Councillors Annison, Bensly, Borg, G Carpenter, Galer, A Grey, Jeal, Robinson-Payne, Wainwright & B Walker.

Councillor K Gey attended as a substitute for Councillor Drewitt.

Councillor Stenhouse attended as a substitute for Councillor Mavroudis.

Mrs J Cooke (Head of Organisational Development), Mrs D Wilby (Licencing & Elections Manager), Mr D Lowens (Solicitor, nplaw) & Mrs C Webb (Senior Member Services Officer)

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Drewitt & Mavroudis.

2 DECLARATIONS OF INTEREST

Councillor B Walker declared a personal interest in item number 8 and reported that he would leave the meeting whilst the item was considered and would not speak or vote on the matter.

3 MINUTES

The minutes of the meeting held on 11 June 2018 were confirmed.

4 GAMBLING POLICY

The Licensing & Elections Manager reported that the Gambling Policy document had been revised to reflect changes in legislation, Gambling Commission guidance and related matters where required. It also included amendments to the Large Casino application procedure.

The proposed consultation would take place between 30 July and 28 September 2018. When the consultation had finished, any comments received would be considered and a final draft would be brought back to Licensing Committee to consider and to recommend approval of the revised Gambling Policy to Full Council.

RESOLVED:

That the proposed draft Gambling Policy be approved for consultation.

5 ANY OTHER BUSINESS

A Member asked for clarification regarding the number of collection buckets allowed at the recent Air Show. The Licensing & Elections Manager reported that the Air Show organisers had applied for twenty collection buckets at the event. The Member reported that he had been informed at another meeting that the Council had restricted the number of collection buckets to twenty and he would therefore seek further clarification in this matter.

6 EXCLUSION OF PUBLIC

RESOLVED:

That under Section 100(A)(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 involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act.

7 FIRST CLASS HACKNEY CARRIAGE DRIVER LICENCE - 1

(Confidential Minute on this Item)

8 FIRST CLASS HACKNEY CARRIAGE DRIVER LICENCE - 2

(Confidential Minute on this Item)

The meeting ended at: 19:00

Subject: Private Hire Vehicle

Report to: Licensing Committee

Date: 10 September 2018

Report by: Licensing and Elections Manager

SUBJECT MATTER AND DECISIONS REQUIRED:

Licensing Committee Members are asked to consider a request which has been received from a plate holder asking that a wheelchair accessible vehicle over 10 years be permitted for licensing as a private hire.

And to decide whether:

- **To allow the request on the basis that the present policy remains unchanged and that any further requests continue to be considered on their merits or**
- **To refuse the request**

1. Policy Content

1.1 Extracts from the current policy for licensing Private Hire vehicles state:

- The Borough Council will not grant or renew a licence unless satisfied that the vehicle is suitable to be a licensed vehicle, is in a suitable mechanical condition, safe and comfortable. Only vehicles which meet the following specification will be considered for licensing
- The general policy is not to accept vehicles exceeding nine years of age on initial registration, or on subsequent renewals. In the case of purpose built vehicles, the age limit shall be nine years on initial registration, or ten years with wheelchair access, with no renewal limit providing the Council's licensing conditions continue to be complied with (The age of the vehicle to be taken from the vehicle registration document)

1.2 The nature of the Hackney Carriage/Private Hire business requires vehicles to cover many miles and as such, the following will normally apply

- They will have higher mileage
- They will have general wear and tear and mechanical problems
- They will be more likely to have higher emissions

2. Current situation

2.1. An application has been received from a plate holder to licence a wheelchair accessible vehicle which is 14 years old as a private hire. This is contrary to the Council's present vehicle policy, which states that wheelchair accessible vehicles should be no older than 10 years on initial registration.

2.2 The applicant is requesting members consider an exception to the policy on this occasion.

2.3 The company has various contracts which require the transport of 4 or more wheelchairs at any one time. In order to fulfil this requirement a large vehicle is required. The vehicle that is proposed for licensing is a large minibus which has been adapted to carry a number of large wheelchairs. It is intended for this vehicle to act as a spare for the company should it be required.

2.4 All licensed vehicles are subject to a vehicle inspection to MOT standard when first licensed and upon renewal. Vehicles over the age of 5 years are also subject to an interim test, every 6 months, to ensure they continue to meet the requirements.

2.5 Similar vehicles of the same age are currently licensed by the council, but these were licensed under previous policy.

Options for Members

- To allow the request on the basis that the present policy remains unchanged and that any further requests continue to be considered on their merits
- To refuse the request

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	√
	Financial	x
	Risk	Members can depart from policy if they are satisfied there are sufficient reasons for doing so which must be recorded.
	Sustainability	x
	Equality	x
	Crime and Disorder	x
	Human Rights	√
	Every Child Matters	x

Subject: Private Hire Vehicle

Report to: Licensing Committee

Date: 10 September 2018

Report by: Licensing and Elections Manager

SUBJECT MATTER AND DECISIONS REQUIRED:

Licensing Committee Members are asked to consider a request which has been received from a plate holders asking permission for his vehicle to remain on his private hire plate when his licence is renewed in September. The vehicle will be over 9 years old at this time.

And to make a decision :

- **To allow the request on the basis that the present policy remains unchanged and that any further requests continue to be considered on their merits**
- **To refuse the request**

1. Policy Context

1.1 Extracts from the current policy for licensing Private Hire vehicles state:

- The general policy is not to accept vehicles exceeding nine years of age on initial registration, or on subsequent renewals. In the case of purpose built vehicles, the age limit shall be nine years on initial registration, or ten years with wheelchair access, with no renewal limit providing the Council's licensing conditions continue to be complied with (The age of the vehicle to be taken from the vehicle registration document)

2. Current situation

2.1.A plate holder has a private hire vehicle licence that is due for renewal by the end of September. The vehicle at this time will be over 9 years old, which is contrary to existing policy.

2.2The applicant is requesting members consider an exception to the policy on this occasion due to the exceptional condition of his vehicle

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2.3All licensed vehicles are subject to a vehicle inspection to MOT standard when first licensed and upon renewal. Vehicles over the age

of 5 years are also subject to an interim test, every 6 months, to ensure they continue to meet the requirements.

2.4The vehicle is a Volkswagen Passat which has been licensed since 2006. The vehicle is kept fully maintained by a main dealer and kept clean, in good condition and continues to pass the Council's six monthly licensing requirements. Photos of the exterior and interior of the vehicle are attached.

Options for Members

- To allow the request on the basis that the present policy remains unchanged and that any further requests continue to be considered on their merits.
- To refuse the request.

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	√
	Financial	x
	Risk	Members can depart from policy if they are satisfied there are sufficient reasons for doing so which much be recorded.
	Sustainability	x
	Equality	x
	Crime and Disorder	x
	Human Rights	√
	Every Child Matters	x













