

LICENSING SUB-COMMITTEE**15 February 2011****Attendance:**

Councillors:

Izard (Chairman) (P)

Love (P)

Read (P)

Officers in Attendance:

Mr J Myall (Licensing and Registration Manager)

Miss C Stefanczuk (Assistant Licensing and Registration Officer)

Mrs C Tetstall (Property and Licensing Solicitor)

1. APPLICATION FOR A PRIVATE HIRE VEHICLE LICENCE
[\(Report LR355 refers\)](#)

Miss Stefanczuk introduced the Report, which recommended that Mr Pinnock be granted a private hire vehicle licence for a 2005 Expertise Tricycle (also known as a tuk-tuk). Subsequent to the publication of the Report, Miss Stefanczuk suggested that, if the Sub-Committee was minded to approve the Licence, the existing roof light on the vehicle be removed to avoid any confusion for the public with hackney carriage vehicles.

During debate, the Sub-Committee considered safety issues, including the seat belts and how the driver would encourage its use by passengers. In response to concerns regarding the rather exposed driving experience of the tuk-tuk, Mr Pinnock confirmed that he would not carry passengers who were drunk or very young customers.

The Sub-Committee also noted that the Council currently could not limit the number of Private Hire Licences that it issued.

Given the unusual nature of the vehicle, the Sub-Committee adjourned for a period of 15 minutes to inspect the tuk-tuk that Mr Pinnock had parked in the Guildhall Yard.

At the resumption of the meeting the Sub-Committee retired in camera to consider the application.

In his closing remarks, the Chairman stated that the Sub-Committee had carefully considered the application and the representations made. It had taken into account the duties under the Crime and Disorder Act 1998, and the rights set out in the Human Rights Act 1998.

The Chairman also explained that the parties had 21 days in which to appeal against the Sub-Committee's decision to the Magistrates' Court.

The Sub-Committee agreed to grant the licence as set out below for the following reason.

REASON:

The Sub-Committee had considered the application and agreed to grant the licence under the terms set out below for an initial six month period to ensure that no safety issues arise.

RESOLVED:

1. That the application be granted for a private hire vehicle licence for a six month trial period, subject to the condition recommended in paragraph 1.8 of the above Report.
2. That, if no problems arise during the course of the trial period, the licence be extended to 12 months and thereafter be renewable in accordance with normal procedure.
3. That the existing roof light on the vehicle be removed to avoid confusion with licensed hackney carriages.

2. EXEMPT BUSINESS

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	Review of Private Hire Driver and Private Hire Operator's Licence	Information relating to any individual (Para 1 Schedule 12A refers)
		Information which is likely to reveal the identity of an individual (Para 2 Schedule 12A refers)

3. **REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE**

(Report LR354 refers)

The above exempt Report set out matters relating to a review of a Hackney Carriage and Private Hire Driver's Licence (detail in exempt minute).

The meeting commenced at 2.00pm, adjourned between 2.30pm and 2.45pm and again between 3.00 and 3.15pm and concluded at 3.30pm.

Chairman