

## REGULATORY COMMITTEE AGENDA

Tuesday, 20 February 2018 at 1.30 pm in the Bridges Room - Civic Centre

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From the Chief Executive, Sheena Ramsey

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Item Business

**1 Apologies**

**2 Minutes** (Pages 3 - 4)

The Committee is asked to approve the minutes of the last meeting.

**3 Appeals and Prosecutions** (Pages 5 - 6)

Report of the Strategic Director Corporate Services and Governance

**4 Suspensions or Revocations under Delegated Powers February 2018**  
(Pages 7 - 8)

Report of the Strategic Director Corporate Services and Governance

**5 New Application for Vehicle over 3 years old to be licensed** (Pages 9 - 12)

Report of the Strategic Director, Communities and Environment

**6 Training Update - Non Conviction Case Study**

Presentation by Tim Briton, Solicitor

**7 Exclusion of the Press and Public**

The Committee may wish to exclude the press and public from the meeting during consideration of the following items on the grounds indicated:-

Item No	Paragraphs of Schedule 12A to the Local Government Act 1972
8.	7
9.	7
10.	7

**8 Street Trading Consent Application (Paragraph 7) (Pages 13 - 30)**

Report of the Strategic Director, Communities and Environment

**9 Summary of Decisions (Paragraph 7) (Pages 31 - 36)**

Report of the Strategic Director, Corporate Services and Governance

**10 Hackney Carriage and Private Hire Licensing Issues (Paragraph 7)  
(Pages 37 - 80)**

Report of the Strategic Director Communities and Environment

**Reference**

**Issue**

- |           |                 |   |
|-----------|-----------------|---|
| <b>1.</b> | <b>RC/01/18</b> | <b>Grant of Private Hire Driver Licence</b>               |
| <b>2.</b> | <b>RC/04/18</b> | <b>Review of Private Hire Driver Licence</b>              |
| <b>3.</b> | <b>RC/05/18</b> | <b>Grant of Dual Driver Licence</b>                       |
| <b>4.</b> | <b>RC/06/18</b> | <b>Grant of a Private Hire Driver Licence</b>             |
| <b>5.</b> | <b>RC/07/18</b> | <b>Application for the Grant of a Dual Driver Licence</b> |

## GATESHEAD METROPOLITAN BOROUGH COUNCIL

### REGULATORY COMMITTEE MEETING

Tuesday, 16 January 2018

**PRESENT:** Councillor K Dodds (Chair)  
Councillor(s): J Green, M Charlton, D Bradford, W Dick, D Duggan, B Goldsworthy, R Mullen, B Oliphant, M Ord and A Thompson

**IN ATTENDANCE:** Councillor(s):

**APOLOGIES:** Councillor(s): J Graham and N Weatherley

#### **RC152 MINUTES**

RESOLVED - That the minutes of the last meeting be approved as a correct record.

#### **RC153 APPEALS AND PROSECUTIONS**

The Committee received a report detailing licensing related appeals which have taken place during the period 25 November 2017 to 3 January 2018. There were no prosecutions to report.

RESOLVED – that the information contained within the report be noted.

#### **RC154 SUSPENSIONS OR REVOCATIONS UNDER DELEGATED POWERS**

The Committee received a report detailing suspensions and revocations that have taken place during the period 28 November 2017 to 3 January 2018.

RESOLVED - That the information contained within the report be noted.

#### **RC155 EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED - That the press and public should be excluded from the meeting during consideration of the remaining business in accordance with paragraph 7 of Schedule 12A of the Local Government Act 1972.

#### **RC156 SUMMARY OF REGULATORY COMMITTEE DECISIONS**

RESOLVED - That the summaries of decisions from the last committee be noted.

#### **RC157 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING ISSUES (PARAGRAPH 7)**

RESOLVED - (i) That the Committee request that the application for applicant

RC/1/18 be deferred until such a time as the applicant was able to attend Committee.

- (ii) That the Committee were not satisfied that applicant RC/2/18 was a fit and proper person to hold a Dual (Hackney Carriage and Private Hire) Driver licence.
- (iii) That the Committee were satisfied that applicant RC/3/18 was a fit and proper person to hold a Private Hire Drive Licence and that such a licence should be granted.\
- (iv) That the Committee be advised that applicant RC/24/17 had withdrawn his application and would not be attending Committee.

**Chair.....**

**TITLE OF REPORT** - **Appeals and Prosecutions**

**REPORT OF** - **Mike Barker, Strategic Director Corporate Services & Governance**

The Committee is requested to consider the attached report on licensing related appeals and prosecutions during the period 4 January 2018 and 5 February 2018.

**Appeals against Committee decisions**

<b>Appellant</b>	<b>Court</b>	<b>Date</b>	<b>Decision being appealed</b>	<b>Court's decision</b>
Bahadeen Ghalib Yassen	Gateshead Magistrates' Court	11 April 2018	Revocation of Hackney Carriage & Private Hire Driver licences	Pending
Michael Rouse	Gateshead Magistrates' Court	18 January 2018	Revocation of Hackney Carriage & Private Hire Driver licences	Appeal refused

**Prosecutions**

<b>Defendant</b>	<b>Court</b>	<b>Date</b>	<b>Offence</b>	<b>Result</b>
N/A				

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**TITLE OF REPORT** - **Suspensions / Revocations under Delegated Powers**  
**REPORT OF** - **Paul Dowling, Strategic Director of Communities & Environment**

The Committee is requested to consider the attached report on suspensions and revocations that have taken place under the powers delegated to the Service Director of Development, Public Protection & Transport Strategy during the period 4 January 2018 to 5 February 2018

**Suspensions**

Licensee	Type of Licence	Reason for suspension	Date of suspension	Suspension lifted

**Revocations**

Licensee	Type of Licence	Reason	Date of revocation
Bruce Sam Moyo	Dual Driver	Conduct Issue	4 January 2018

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**TITLE OF REPORT** - **New Application for Vehicle Over 3 Years Old to be Licensed**  
**REPORT OF** - **Paul Dowling, Strategic Director, Communities and Environment**

It is the Council's policy that when a vehicle is first registered with Gateshead Council as a Private Hire Vehicle or Hackney Carriage it shall be no more than three years old; and that the age of the vehicle will be determined as follows –

- (i) if not previously used on a road anywhere in the world: date of first registration with DVLA
- (ii) if previously used on a road anywhere in the world (e.g. an imported vehicle): the date of manufacture.

This supports the Council's Climate Change Strategy, which states that one of its priorities is the provision of high quality green transport options and the promotion of their use; including by "Seek[ing] to increase levels of investment in public transport" (priority 4 key action 21 - <http://www.gateshead.gov.uk/DocumentLibrary/Environment/Strategies/ClimateChangeBooklet2010.pdf> ).

The Council's Constitution states that the Regulatory Committee may to grant licences for Hackney Carriages and Private Hire Vehicles where the application does not meet the Council's standard conditions, but having regard to all relevant information, it is determined that the individual circumstances justify deviation from policy.

The Committee is requested to consider the below report on an application for a vehicle over the age of three years to be licensed as a Private Hire Vehicle.

**Vehicle to be Considered:**

Applicant	Vehicle Make and Model	Registration Mark	MOT Supplied	Date and Time of Vehicle Test	Vehicle Test Result	PHV/HC	Any other information
Mr Steven Meyer	Skoda Superb SE TDI	SL63 EER	Yes – Expires 26 April 2018	26 January 2018 – 07:45	Pass	PHV	Saloon. Mileage as of 26 January 2018 – 79,766

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## Comparison Chart

<b>2002 - 2008</b> Skoda Superb 2.0 TDI PD Elegance	<b>2008 - 2015</b> Skoda Superb 2.0 SE TDI CR*	<b>2015 -</b> Skoda Superb 2.0 TDI CR SE Business
<b>Vehicle Details</b>		
<b>Engine Capacity:</b> 1968cc	<b>Engine Capacity:</b> 1968cc	<b>Engine Capacity:</b> 1968cc
<b>Fuel Type:</b> Diesel	<b>Fuel Type:</b> Diesel	<b>Fuel Type:</b> Diesel
<b>CO2 Emissions (g/km):</b> 173	<b>CO2 Emissions (g/km):</b> 139	<b>CO2 Emissions (g/km):</b> 118
<b>Vehicle Tax Band:</b> H	<b>Vehicle Tax Band:</b> F	<b>Vehicle Tax Band:</b> C
<b>Euro Standard:</b> 4	<b>Euro Standard:</b> 5	<b>Euro Standard:</b> 6
<b>Euro NCAP Rating:</b> 4 Stars	<b>Euro NCAP Rating:</b> 5 Stars	<b>Euro NCAP Rating:</b> 5 Stars
<b>Fuel Consumption</b>		
<b>Urban:</b> 33.2 mpg	<b>Urban:</b> 40.9 mpg	<b>Urban:</b> 53.3 mpg
<b>Extra Urban:</b> 55.4 mpg	<b>Extra Urban:</b> 61.4 mpg	<b>Extra Urban:</b> 68.9 mpg
<b>Combined:</b> 44.1 mpg	<b>Combined:</b> 52.3 mpg	<b>Combined:</b> 62.8 mpg

***\*Mr Meyer's vehicle (SL63 EER) falls into the 2008-2015 specifications***

Data sourced from: [www.gov.uk/vehicle-tax-rate-tables](http://www.gov.uk/vehicle-tax-rate-tables) [www.carfueldata.dft.gov.uk](http://www.carfueldata.dft.gov.uk)  
[www.autotrader.co.uk](http://www.autotrader.co.uk) [www.parkers.co.uk](http://www.parkers.co.uk)

*"It should be noted that as the fuel consumption figures quoted are obtained under specific test conditions, they may not be achieved under 'real world' driving conditions. However, the figures serve as a means of comparing models of a similar type."*

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