

# REGULATORY COMMITTEE AGENDA

Tuesday, 21 August 2018 at 1.30 pm in the Bridges Room - Civic Centre

From the Chief Executive, Sheena Ramsey

Item Business

**1 Apologies**

**2 Minutes (Pages 3 - 6)**

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

**3 Appeals and Prosecutions (Pages 7 - 8)**

Report of the Strategic Director Corporate Services and Governance

**4 Suspensions / Revocations under Delegated Powers (Pages 9 - 10)**

Report of the Strategic Director, Communities and Environment

**5 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
6	7
7	7

**6 Summary of Regulatory Committee Decisions (Paragraph 7) (Pages 11 - 26)**

Report of the Strategic Director, Corporate Services and Governance

**7 Hackney Carriage and Private Hire Licensing Issues (Paragraph 7) (Pages 27 - 36)**

Report of the Strategic Director Communities and Environment

**Reference**

**Issue**

1. **RC/17/18**

**Grant of a Private Hire Driver Licence**

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## GATESHEAD METROPOLITAN BOROUGH COUNCIL

### REGULATORY COMMITTEE MEETING

Tuesday, 24 July 2018

**PRESENT:** Councillor K Dodds (Chair)

Councillor(s): W Dick, M Charlton, B Goldsworthy, J Kielty, M Ord, J Green, Gibson, H Kelly and K McClurey

**APOLOGIES:** Councillor(s): D Duggan, R Mullen, B Oliphant, N Weatherley and D Bradford

**RC193 APOLOGIES**

**RC194 MINUTES**

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

**RC195 APPEALS AND PROSECUTIONS**

The Committee received a report detailing licensing related appeals and prosecutions during the period 14 June 2018 to 9 July 2018.

RESOLVED - that the information be noted.

**RC196 SUSPENSIONS AND REVOCATIONS UNDER DELEGATED POWERS**

The Committee received a report on suspensions and revocations that have taken place under the powers delegated to the Service Director of Development, Transport and Public Protection during the period 12 June 2018 to 9 July 2018.

RESOLVED - that the information be noted

**RC197 APPLICATION FOR APPROVED PREMISES STATUS - ESLINGTON VILLA HOTEL, 8 STATION ROAD, LOW FELL NE9 5EW**

The Committee received a report advising them of an application on behalf of Eslington Villa, Low Fell, Gateshead, for the premises to be approved as a venue for the solemnisation of civil marriages and registrations of civil partnerships.

The premises have been inspected by the representative of the Strategic Director, Corporate Services and Governance and reviewed by the Service Director, Development, Transport and Public Protection. The premises satisfy the requirement to be a seemly and dignified venue for the proceedings in accordance with Marriages and Civil Partnerships (Approved Premises) Regulations 2005. There are

no objections to the application.

- RESOLVED -
- i) That the information be noted
  - ii) That the application be approved

**RC198 APPLICATION FOR APPROVED PREMISES STATUS - TANFIELD RAILWAY, OLD MARLEY HILL**

The Committee received a report advising them of a revised application on behalf of the Tanfield Railway, Gateshead, for the premises to be approved as a venue for the solemnisation of civil marriages and registration of civil partnerships.

The premises have been inspected by the representative of the Strategic Director, Corporate Services and Governance and reviewed by the Head of Communities and Environment. The premises satisfy the requirement to be a seemly and dignified venue for the proceedings in accordance with the Marriages and Civil Partnerships (Approved Premises) Regulations 2005. There are no objections to the application.

The Committee were advised that this application was previously considered at June's Regulatory Committee. However, as a result in issues complying with the fire safety requirements the application has been revised, these revisions namely the removal of 'Andrews House' & 'The Engine Shed' as approved premises for marriages and civil partnerships and the addition of 'Andrews House Waiting Room' as the sole approved premises at Tanfield Railway require the matter to be reconsidered.

Following these revisions further Consultation has been carried out and no further objections or comments regarding the proposal have been made.

- RESOLVED -
- i) That the information be noted
  - ii) That the amended application be approved

**RC199 EXCLUSION OF THE PRESS AND PUBLIC**

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

**RC200 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING ISSUES (PARAGRAPH 7)**

- RESOLVED -
- i) That the information be noted
  - ii) **RC/12/18** – the Committee agreed to take no further action and that the applicant was a fit and proper person to hold a dual driver licence.  
**RC/13/18** – the Committee agreed that the applicant was a fit and proper person to hold a private hire driver licence and the licence should be for a duration of three years

**RC/14/18** – the Committee agreed that the applicant was a fit and proper person to hold a dual driver licence and agreed that the applicant should be awarded a licence for the duration of one year with a warning letter as to his future conduct.

**RC/15/18** – the Committee agreed that the applicant was a fit and proper person to hold a private hire driver licence and that the licence should be for a duration of three years.

**RC/16/18** – the Committee refused the application on the grounds of public safety and public protection and also that by granting the application, the Committee would be deviating away from Council Policy.

**Chair.....**

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- 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 10 July 2018 to 1 August 2018.

### Appeals against Committee decisions

Appellant	Court	Date	Decision being appealed	Court's decision
Stephen Robson	Newcastle Magistrates' Court	24 August 2018	Refusal of Private Hire Driver licence	Pending
Simon Bell	Gateshead Magistrates' Court	12 September 2018	Refusal of Private Hire Driver licence	Pending

### Prosecutions

Defendant	Court	Date	Offence	Result
Gerard Sweeney	Gateshead Magistrates' Court	13 June 2018	Failing, without reasonable cause, to give information when required to do so, contrary to section 73(1) Local Government (Miscellaneous Provisions) Act 1976	Guilty - £1,000 fine, £300 costs

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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, Transport and Public Protection during the period 10 July 2018 to 10 August 2018

#### Suspensions

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

#### Revocations

Licensee	Type of Licence	Reason	Date of revocation
Paul Henderson	Dual Drivers Licence	Conviction	8 August 2018

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By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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