



REGULATORY COMMITTEE AGENDA

Tuesday, 26 January 2016 at 1.30 pm at the Bridges Room - Civic Centre

From the Chief Executive, Jane Robinson

Item Business

1. Apologies

2. Minutes (Pages 1 - 2)

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

3. Application for Approved Premises Status (Pages 3 - 6)

Joint Report of the Strategic Director, Corporate Services and Governance and Strategic Director Communities and Environment

4. Appeals and Prosecutions (Pages 7 - 8)

Report of the Strategic Director Corporate Services and Governance

5. New Applications for Vehicles over 3 years old to be licensed (Pages 9 - 10)

Report of the Strategic Director, Communities and Environment

6. 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**

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7. **Hackney Carriage and Private Hire Licensing Issues (Paragraph 7)** (Pages 11 - 78)

Report of the Strategic Director Communities and Environment

	Reference	Issue
1.	RC/01/16 Driver's Licence	Review of Dual (Hackney Carriage and Private Hire)

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REGULATORY COMMITTEE

MINUTES

15 DECEMBER 2015

PRESENT: Councillor K Dodds (Chair)

Councillors: B Dick, N Weatherley, B Oliphant, M Ord, M Charlton and D Davidson

RC34 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C Bradley, M Brain, B Goldsworthy, P Ronan and A Thompson

RC35 MINUTES

RESOLVED - The minutes of the meeting held on 13 October 2015 were approved as a correct record.

RC36 APPEALS AND PROSECUTIONS

The Committee received a report detailing licensing related appeals and prosecutions during the period 6 November 2015 to 30 November 2015.

RESOLVED - That the information be noted.

RC37 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED - That the press and public 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.

RC38 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING ISSUES

RESOLVED - i) That the Private Hire Driver referred to in report RC/18/15 be granted a private hire driver licence for a period of two years.

- ii) That the Private Hire Driver referred to in report RC/19/15 be granted a private hire driver licence for a period of one year (Cllr Davidson declared an interest and took no part in the hearing or decision)
- iii) That the matter referred to in report RC/20/15 is to be considered by the Director of Development & Public Protection in consultation with the Chair / Vice Chair

TITLE OF REPORT: **Application for Approved Premises Status**
Saltwell Towers, East Park Road, Gateshead NE9 5AX

REPORT OF: **Mike Barker, Strategic Director, Corporate Services and**
Governance
Paul Dowling, Strategic Director, Communities and Environment

SUMMARY

This report advises the Committee of an application on behalf of the Saltwell Towers for the premises to be approved as a venue for the solemnisation of civil marriages and registration of civil partnerships.

Statutory Context

1. Premises may be approved as a venue for the solemnisation of marriages under the provisions of the Marriage Act 1949 and the registration of civil partnerships under the Civil Partnership Act 2004. Premises are approved for a three-year period, subject to their being seemly and dignified and to satisfactory public order, fire and health and safety checks.

Application

2. David Lindsay, Civic & Corporate Catering Manager has made application on behalf of Saltwell Towers, East Park Road, Gateshead NE9 5AX

Inspection and Consultation

3. The premises have been inspected by the representative of the Strategic Director, Corporate Services and Governance and reviewed by the Service Director, Development and Public Protection. 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. Consultative arrangements are set out in the appendix. There are no objections to the application.

Approval is recommended to marriages and civil partnerships taking place in

The Gallery (maximum occupancy 60)

Recommendation

5. The Committee is asked to approve the application.
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CONTACT: Jean Eggleston extension 2200

APPENDIX

Policy Context

1. The proposal supports the vision for Gateshead as outlined in the Sustainable Communities Strategy and the Council Plan, in particular supporting the building of cohesive and diverse communities.

Background

2. Premises may be approved as a venue for the solemnisation of marriages under the provisions of the Marriage Act 1949 and the registration of civil partnerships under the Civil Partnership Act 2004, in accordance with the Marriages and Civil Partnerships (Approved Premises) Regulations 2005.

Consultation

3. In accordance with the regulations, the application has been advertised in the local press. The councillors for the Saltwell ward have been consulted and the cabinet member with responsibility for safer stronger communities and culture has been advised. There are no objections to the application.

Alternative Options

4. Premises meeting the criteria under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 and guidance issued by the Registrar General must be considered for approved premises status. There is no alternative to considering the application.

Implications of Recommended Option

5. **Financial Implications** – The costs of processing the application and public advertisement are met from fee income. The Strategic Director, Corporate Resources, confirms that there are no financial implications arising from this report.
6. **Risk Management Implications** – The Service Director, Development and Public Protected has consulted with Tyne and Wear Fire Service, Northumbria Police and on building control for purposes of health and safety and public order. There are no objections to the application.
7. **Human Resources Implications** - There are no human resources implications arising from the proposal.
8. **Equality and Diversity Implications** - The approval of premises for the solemnisation of civil marriages and registration of civil partnerships provides opportunities for people to enter into secular and civil proceedings in a location of their choice, rather than at the offices of the district registrar.
9. **Crime and Disorder Implications** - The Service Director, Development and Public Protected consulted with Northumbria Police on matters relating to public order. There are no objections to the application.
10. **Health Implications**
The approval of premises for the solemnisation of civil marriages and registration of civil partnerships increases the opportunities for couples to enter into legally

recognised relationships, with their attendant benefits, which, support personal and social stability and contribute to wellbeing.

11. **Sustainability Implications** – There are no sustainability implications arising directly from the proposal. Those attending at an approved premise would be likely to travel to the premises for a celebration of the event even if the marriage ceremony or civil partnership registration was to take place at a separate location.
12. **Human Rights Implications** - The approval of premises for solemnisation of civil marriages enhances the right to marry under Article 12 of the European Convention on Human Rights.
13. **Area and Ward Implications** – Saltwell Towers is in the Saltwell ward. The ward members have been consulted on the application. There are no objections.
14. **Background Information**
 - 1 .The Registrar General's Guidance to Authorities for the Approval of Premises as Venues for Civil Marriages and Civil Partnerships - Fourth Edition (Revised December 2011).
 2. Application form for Saltwell Towers East Park Road, Gateshead.

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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 1 December 2015 to 8 January 2016.

Appeals against Committee decisions

Appellant	Court	Date	Decision being appealed	Court's decision
N/A				

Appeals against delegated decisions

Appellant	Court	Date	Decision being appealed	Court's decision
N/A				

Appeals against Court decisions

Defendant	Court	Date	Decision being appealed	Result
N/A				

Prosecutions

Defendant	Court	Date	Offence	Result
N/A				

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TITLE OF REPORT - **New Applications for Vehicles 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 attached report on applications for vehicles that are over the age of three years to be licensed as Private Hire Vehicles / Hackney Carriages.

Vehicles to be Considered:

Applicant	Vehicle Make and Model	Registration Mark	MOT Supplied	Date and Time of Vehicle Test	Vehicle Test Result	PHV/HC	Recommendation
Mr A Rippon	Mercedes, E Class	BG62YXU	Yes	21 January 2016, 08:45	TBC	HC	Grant subject to double test pass.

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

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