

REGULATORY COMMITTEE AGENDA

Tuesday, 10 October 2017 at 1.30 pm in the Bridges Room - Civic Centre

From the Chief Executive, Sheena Ramsey

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/Revocations under Delegated Powers (Pages 7 - 8)

Report of the Strategic Director of Communities and Environment

5 New Application for Vehicle Over 3 Years Old to be Licensed (Pages 9 - 14)

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
7	7
8	7

7 Summary of Decisions (Pages 15 - 38)

Report of the Strategic Director, Corporate Services and Governance

**8 Hackney Carriage and Private Hire Licensing Issues (Paragraph 7)
(Pages 39 - 58)**

Report of the Strategic Director Communities and Environment

	Reference	Issue
1.	RC/19/17	Grant of a Private Hire Driver Licence
2.	RC/20/17	Application for the Grant of a Private Hire Driver Licence

GATESHEAD METROPOLITAN BOROUGH COUNCIL

REGULATORY COMMITTEE MEETING

Tuesday, 4 July 2017

PRESENT: Councillor K Dodds (Chair)

Councillor(s): W Dick, B Goldsworthy, J Graham, J Kielty,
R Mullen, B Oliphant, M Ord, A Thompson, N Weatherley,
D Bradford and J Green

APOLOGIES: Councillor(s): M Charlton and D Duggan

RC129 APOLOGIES

RC130 MINUTES

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

RC131 SUSPENSIONS AND REVOCATIONS UNDER DELEGATED POWERS

The Committee received a report detailing suspensions and revocations that have taken place during the period May 2017 to 4 July 2017.

RESOLVED – that the information be noted.

RC132 APPEALS AND PROSECUTIONS

The Committee received a report on the licensing related appeals and prosecutions during the period 11 March 2017 to 16 June 2017.

RESOLVED – that the information be noted.

RC133 EXCLUSION OF THE PRESS AND PUBLIC

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

RC134 APPLICATION FOR STREET TRADING LICENCE

RESOLVED – that the street trading licence be granted.

RC135 SUMMARY OF REGULATORY COMMITTEE DECISIONS

RESOLVED – that the summaries of decision from last committee be noted.

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING ISSUES (PARAGRAPH 7)

RESOLVED -

- i) The Committee were not satisfied that applicant RC/10/17 was a fit and proper person and revoked his 'dual' licence with immediate effect.
- ii) The Committee were satisfied that applicant RC/11/17 remained a fit and proper person to be licensed and added the following condition to his licence "within three months of this decision a copy of a cardiology review produced within that time period must be submitted to the Council, thereafter further reports which review this condition shall be submitted in a timely manner every three months (unless such other longer period is formally agreed with the Council) until such a time as the condition has been effectively treated and confirmation that this is the case has been submitted to the Council in writing"
- iii) The Committee were satisfied that applicant RC/12/17 remained a fit and proper person to be a licensed Hackney Carriage Driver but reminded the applicant of the requirement to notify the Council of matters relevant to his ongoing fitness and propriety in a timely manner, and in particular the expectation that the applicant will notify the Council as to the outcome of his appearance on 25 July 2017 at Sunderland Magistrates Court. The applicant was warned that further incidents or poor driving conduct and/or failure to notify the Council of information when required to do so will result in his fitness and propriety being again called into question.
- iv) The Committee were not satisfied that applicant RC/14/17 was a fit and proper person to hold a private hire driver licence and suspended his licence with immediate effect, and until such time as he either produces evidence of having satisfactorily completed driver assessment and correction training or his licence expires.
- v) The Committee were not satisfied that applicant RC/15/17 was a fit and proper person to hold a private hire driver licence and revoked his licence with immediate effect.
- vi) The Committee were satisfied that applicant RC/16/17 was a fit and proper person to hold a Private Hire Driver Licence, but reminded the applicant of the requirement to notify the Council of matters relevant to his ongoing fitness and propriety in a timely manner. The applicant was warned that further incidents of failure to notify the Council of information when required to do so will result in his fitness and propriety being again called into question.
- vii) The Committee were satisfied that the applicant was a fit and proper person to hold a 'Dual' Hackney Carriage and Private Hire Driver Licence with the Council, but that such a licence shall be of a one year duration.

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 17 June 2017 to 29 September 2017.

Appeals against Committee decisions

Appellant	Court	Date	Decision being appealed	Court's decision
Trevor Richardson	Gateshead Magistrates' Court	10 July 2017	Refusal to grant Private Hire Driver licence on 2 May 2017	Decision overturned – licence granted
Michael Rouse	Gateshead Magistrates' Court	16 October 2017	Revocation of Hackney Carriage & Private Hire Driver licences	Pending

Prosecutions

Defendant	Court	Date	Offence	Result
Richard Alderdice	Gateshead Magistrates' Court	21 August 2017	Making false statements in application for licence	Guilty plea - £80 fine, £200 costs
Amritpal Singh Kang	Gateshead Magistrates' Court	21 August 2017	Making false statements in application for licence	Guilty plea - £100 fine, £200 costs

This page is intentionally left blank

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 July 2017 to 25 September 2017.

Suspensions

Licensee	Type of Licence	Reason for suspension	Date of suspension	Suspension lifted
Anthony Hallett	Dual Driver	Failure to Produce DBS	27 June 2017	Yes
Jack Flather	Hackney Carriage Driver	Medical Grounds	10 July 2017	No
Lee Southern	Dual Driver	Failure to Produce DBS	25 July 2017	No
Jeffrey Glendinning	Dual Driver	Medical Grounds	26 July 2017	Yes
Rukhsana Ali	Hackney Carriage Driver	Failure to Produce DBS	28 July 2017	Yes

Revocations

Licensee	Type of Licence	Reason	Date of revocation
Michael Rouse	Dual Driver	Conduct Issue	8 August 2017

This page is intentionally left blank

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 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 Michael McLaughlin	Skoda Superb 2.0 TDI	DE14 VYZ	Yes - Expires 22/08/2018	6 October 2017	Awaiting result	PHV155	Saloon Mileage as of 6 October 2017:

This page is intentionally left blank

Comparison Chart

2002 - 2008 Skoda Superb 2.0 TDI PD Elegance	2008 - 2015 Skoda Superb 2.0 TDI CR Elegance 4x4*	2015 - Skoda Superb 2.0 TDI CR SE Business
Vehicle Details		
Engine Capacity: 1968cc	Engine Capacity: 1968cc	Engine Capacity: 1968cc
Fuel Type: Diesel	Fuel Type: Diesel	Fuel Type: Diesel
CO2 Emissions (g/km): 173	CO2 Emissions (g/km): 147	CO2 Emissions (g/km): 118
Vehicle Tax Band: H	Vehicle Tax Band: F	Vehicle Tax Band: C
Euro Standard: 4	Euro Standard: 5	Euro Standard: 6
Euro NCAP Rating: 4 Stars	Euro NCAP Rating: 5 Stars	Euro NCAP Rating: 5 Stars
Fuel Consumption		
Urban: 33.2 mpg	Urban: 43.5 mpg	Urban: 53.3 mpg
Extra Urban: 55.4 mpg	Extra Urban: 58.9 mpg	Extra Urban: 68.9 mpg
Combined: 44.1 mpg	Combined: 50.4 mpg	Combined: 62.8 mpg

Data sourced from: www.gov.uk/vehicle-tax-rate-tables www.autotrader.co.uk
www.euroncap.com 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.”

***Mr McLaughlin’s vehicle (DE14 VYZ) falls into the 2008-2015 specifications**

This page is intentionally left blank

5 Ullswater Crescent
Blaydon on Tyne
Tyne and Wear
NE21 6QL
Tel: 07814505018
micky5146@hotmail.com

25 September 2017

RE: Private Licence Application for Skoda Superb Saloon.

Dear Mr Bradley

I am writing to support my application for a private carriage plate. I have recently purchased my own vehicle a 5 door 2014 Skoda Suberb Elegance with the intention to continue to work as a self employed Private Hire Vehicle. I currently work in conjunction with Blueline Taxis, having purchased this vehicle I will not be charged the weekly costs incurred for vehicle hire.

The car is in exceptional condition, interior and exterior and has extremely low mileage, and also the price paid and features of the vehicle in my opinion make it suitable for use for Private Hire purposes. I did of course prior to purchase do a comparable search of others in the same price range, year, engine size, mileage etc and found that the Superb has lower emissions than some vehicles such as Peugeot Partner and Fiat Diablo so would fall within the acceptable levels.

All the service history is available and I have also ensured that a service plan is in place for the vehicle which covers the 2 MOT's per year as expected by Gateshead Council.

I therefore request that the Private Hire licence application is approved so I can continue with my self employment and be in a more financially viable position as an owner/driver.

Yours faithfully



Michael McLaughlin

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank