

REGULATORY COMMITTEE AGENDA

Tuesday, 24 July 2018 at 5.30 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 and Revocations under Delegated Powers (Pages 7 - 8) Report of the Strategic Director, Communities and Environment				
5	Application for Approved Premises Status - Eslington Villa Hotel, 8 Station Road, Low Fell NE9 5EW (Pages 9 - 12) Joint report of the Strategic Director, Corporate Services and Governance and the Strategic Director, Communities and Environment				
6	Application for Approved Premises Status - Tanfield Railway, Old Marley Hill (Pages 13 - 16) Joint report of the Strategic Director, Corporate Services and Governance and Strategic Director, Communities and Environment				
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:-				
	<table border="0"> <thead> <tr> <th style="text-align: left;">Item No</th> <th style="text-align: left;">Paragraphs of Schedule 12A to the Local Government Act 1972</th> </tr> </thead> <tbody> <tr> <td>8</td> <td>7</td> </tr> </tbody> </table>	Item No	Paragraphs of Schedule 12A to the Local Government Act 1972	8	7
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Hackney Carriage and Private Hire Licensing Issues (Paragraph 7)
(Pages 17 - 62)

Report of the Strategic Director Communities and Environment

Number	Reference	Item
1.	RC/12/18	Review of a Dual Driver Licence
2.	RC/13/18	Grant of a Private Hire Driver Licence
3.	RC/14/18	Grant of a Dual Driver Licence
4.	RC/15/18	Grant of a Private Hire Driver Licence
5.	RC/16/18	Grant of a Private Hire Vehicle Licence

GATESHEAD METROPOLITAN BOROUGH COUNCIL

REGULATORY COMMITTEE MEETING

Tuesday, 26 June 2018

PRESENT: Councillor K Dodds (Chair)

Councillor(s): W Dick, M Charlton, B Goldsworthy, R Mullen, B Oliphant, M Ord, N Weatherley, J Green, Gibson, Kelly and McClurey

IN ATTENDANCE: Councillor(s):

APOLOGIES: Councillor(s): D Duggan, J Kielty and D Bradford

RC187 MINUTES

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

RC188 APPEALS AND PROSECUTIONS

The Committee received a report detailing licensing related appeals and prosecutions during the period 4 May 2018 and 13 June 2018.

RESOLVED - that the information be noted.

RC189 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 4 May 2018 to 11 June 2018.

RESOLVED - that the information be noted.

RC190 APPLICATION FOR APPROVED PREMISES STATUS - TANFIELD RAILWAY, OLD MARLEY HILL, GATESHEAD

The Committee were advised that an application on behalf of The Tanfield Railway had been received, for the premises to be approved as a venue for the solemnisation of civil marriages and registration of civil partnerships.

Further to the main report following the inspection by the representative of the Service Director of Development, Transport and Public Protection, whilst the premises are confirmed as being seemly and dignified two issues have been identified.

Firstly, the fire alarm system installation had not been completed at the time of the visit, secondly due to the available means of the escape the capacity of 'The Engine

Shed' needs to be reduced from the proposed 522 people to 170 people.

Taking the second point first the applicant has agreed to the reduction in capacity.

With regard to the fire alarm system this is due to be installed prior to the first wedding which is planned to be held in August 2018.

It has been confirmed that type M (manual) fire alarm system will be installed that meets the relevant requirements of BS5839-1:2017. This will be inspected by the Council prior to the wedding taking place.

- RESOLVED -
- i) That the information be noted
 - ii) The Committee are minded to grant the application and delegate approval to the Service Director of Development, Transport and Public Protection in consultation with the Chair and Vice-Chair.

RC191 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.

RC192 SUMMARY OF REGULATORY COMMITTEE DECISIONS

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

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 14 June 2018 to 9 July 2018.

Appeals against Committee decisions

Appellant	Court	Date	Decision being appealed	Court's decision
Wayne Brannen	Gateshead Magistrates' Court	4 July 2018	Refusal of Hackney Carriage & Private Hire Driver licences	Appeal dismissed – refusal upheld
Simon Bell	Gateshead Magistrates' Court	11 July 2018 (directions)	Refusal of Hackney Carriage & Private Hire Driver licences	Pending
Stephen Robson	Gateshead Magistrates' Court	18 July 2018 (directions)	Refusal of Hackney Carriage & Private Hire Driver licences	Pending

Prosecutions

Defendant	Court	Date	Offence	Result
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, Transport and Public Protection during the period 12 June 2018 to 9 July 2018

Suspensions

Licensee	Type of Licence	Reason for suspension	Date of suspension	Suspension lifted
Glen Paul Burnett	Dual Driver Licence	Failure to produce up to date DBS Certificate when required to do so	21 June 2018	No
Anthony Francis Hallett	Dual Driver Licence	Failure to produce up to date DBS Certificate when required to do so	22 June 2018	No
Mark Drew	Dual Driver Licence	Failure to produce up to date DBS Certificate when required to do so	29 June 2018	No
Lesley Hawkes	Private Hire Driver Licence	Failure to produce up to date DBS Certificate when required to do so	4 July 2018	No
Graham Kenneth Watson	Dual Driver Licence	Failure to produce up to date DBS Certificate when required to do so	9 July 2018	No

Revocations

Licensee	Type of Licence	Reason	Date of revocation
Gerard Anthony Sweeney	Private Hire Licence	Conviction	21 June 2018

TITLE OF REPORT: Application for Approved Premises Status – Eslington Villa Hotel, 8 Station Road, Low Fell, NE9 5EW

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 Eslington Villa, Low Fell, Gateshead, 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. Eslington Villa Hotel, 8 Station Road, Low Fell, Gateshead, NE9 6DR

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, Transport 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.
4. Consultation has been carried out with Northumbria Police and Tyne and Wear Fire and Rescue Service they have no objections or comments regarding the proposal.
5. Approval is recommended for marriages and civil partnerships taking place in:
Conference Room (Maximum occupancy 90)
Conservatory (Maximum occupancy 60)

Recommendation

6. The Committee is asked to approve the application.
-

CONTACT: John Bradley extension 3905

APPENDIX 1

Policy Context

1. The proposal supports the vision for Gateshead as outlined in the Sustainable Communities Strategy and the Council's Corporate 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 Whickham South and Sunnyside ward have been consulted. 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 Strategic Director of Communities and Environment 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, civil, proceedings in a location of their choice, rather than at the offices of the district registrar.
9. **Crime and Disorder Implications** - The Strategic Director of Communities and Environment has 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 and registration of civil partnerships provides opportunities for people to enter into secular, civil, proceedings in a building of their choice, rather than at the offices of the district registrar.
13. **Area and Ward Implications** – Eslington Villa is in the Low Fell 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 - Third Edition (Revised April 2007).
 2. Application for Eslington Villa.

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TITLE OF REPORT: Application for Approved Premises Status - Tanfield Railway, Old Marley Hill

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

SUMMARY

This report advises the Committee 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.

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. Tanfield Railway Ltd, Marley Hill Engine Shed, Old Marley Hill, Gateshead, NE16 5ET

Inspection and Consultation

3. 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. Consultative arrangements are set out in the appendix. There are no objections to the application.
4. 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.
5. Following these revisions further Consultation has been carried out with Northumbria Police and Tyne and Wear Fire and Rescue Service they have no objections or comments regarding the proposal.

6. Andrews House Waiting Room has additionally been inspected with respect to Fire Safety and it has been confirmed that the premises are safe for use subject to a maximum occupancy of 20.

Recommendation

7. The Committee is asked to approve the amended application.
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CONTACT: John Bradley extension 3905

Policy Context

1. The proposal supports the vision for Gateshead as outlined in the Sustainable Communities Strategy and the Council's Corporate 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 Whickham South and Sunnyside ward have been consulted. 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, Finance and ICT, confirms that there are no financial implications arising from this report.
6. **Risk Management Implications** - The Head of Communities and Environment 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, civil, proceedings in a location of their choice, rather than at the offices of the district registrar.
9. **Crime and Disorder Implications** - The Head of Communities and Environment has 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 and registration of civil partnerships provides opportunities for people to enter into secular, civil, proceedings in a building of their choice, rather than at the offices of the district registrar.
13. **Area and Ward Implications** - Tanfield Railway Ltd is in the Wickham South and Sunnyside 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 - Third Edition (Revised April 2007).
 2. Revised application for Tanfield Railway.

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

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