

REPORT OF THE REGULATORY COMMITTEE

Meetings Held on 3 February, 16 March, 7 April and 11 May 2009

Membership:

Councillors: P Jones CBE (Chairman), JW Hope MBE (Vice-Chairman) CM Bartrum, DJ Benjamin, ME Cooper, PGH Cutter, SPA Daniels, JHR Goodwin, PJ McCaull, A Seldon, and DC Taylor.

HIGHWAYS ACT 1980 SECTION 119 – APPLICATIONS FOR PUBLIC PATH DIVERSION ORDERS

1. The Committee has approved applications for the following Public Path Diversion Orders for which there has been consultation with interested parties, the local parish councils and the local Ward Councillors where appropriate:-
 - (a) part of Footpath 4, Adforton;
 - (b) part of Footpath AV1B, Avenbury, and
 - (c) part of Footpath ZK8, Ross-on-Wye

ADDITION OF VEHICLE CONDITIONS REGARDING: LIMOUSINES - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976, TOWN POLICE CLAUSES ACT 1847

2. The Committee has adopted additional vehicle licensing conditions to cover 'stretch'-limousines. The conditions approved by the Committee on 18th December 2007 did not provide for such vehicles and following an enquiry from a proprietor, investigation was made into the conditions employed by other Councils and the best practice that is observed. The Committee did not feel that it was necessary to impose a ten-year age limit as applied to other licensed vehicles because of the highly specialised nature of stretch limousines, coupled with the high purchase costs facing proprietors.

APPLICATIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

5. Applications for the reinstatement, renewal or grant of Hackney Carriage/Private Hire driver's licences have been referred to the Committee in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions and medical requirements. Incidents involving the conduct of drivers have also been heard. Applications for the renewal or transfer of vehicle licenses have also been submitted to the Committee because the applicants were late in submitting their applications and were in breach of the Councils licensing conditions, or they wished to transfer a licence to a vehicle that does not comply with those conditions.
6. The applicants, licence holders and their representatives gave details of the grounds for their applications and provided the Committee with their personal circumstances. In the case of the applications for vehicle licences, the applicants explained the circumstances which had prevented them from renewing their licences within the Council's prescribed timescale or why they wanted to transfer their licenses. Some of the proprietors have said that they had encountered problems in booking their vehicles to be tested to meet those timescales when renewing a licence. The Licensing Manager is in discussions with the Testing Centre Manager to investigate what improvements can be made.

7. The applications were dealt with as follows:
- (a) two drivers had their licence suspended or revoked because of incidents being investigated by the police;
 - (b) in the case of two drivers who had been cautioned by the police, the Committee decided that no further action was necessary because it was satisfied that the matter had no bearing on the way in which they conducted themselves in their dealings with the public;
 - (c) two applications for driver's licences were refused because the applicants had failed to appear before the Committee on three separate occasions. A third application was refused because the applicant was not considered to be a fit and proper person to be granted a licence;
 - (d) five applications for drivers licenses were granted because the Committee is satisfied that evidence has been given by the applicants that they are fit and proper persons to be licensed;
 - (e) two applicants were allowed to renew their vehicle licences outside the prescribed timeframe because of the difficulties they had encountered; they had obtained the necessary VOSA certification; or the fact that the Committee felt that the timeframe between expiry and the application for renewal was small enough to be acceptable; and
 - (f) consideration of one application to transfer a vehicle licences to a minibus which has been converted from a panel van was deferred for the applicant to obtain the necessary VOSA certification.

**P. JONES CBE
CHAIRMAN
REGULATORY COMMITTEE**

BACKGROUND PAPERS

Agenda papers from the meetings of the Regulatory Committee held on 3 February, 16 March, 7 April and 11 May 2009.

BACKGROUND PAPERS Agenda papers from the meetings of the Regulatory Committee held on 4th November, 2008; 2nd December, 2008 and 6th January, 2009.