

**MINUTES of the meeting of Regulatory Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Tuesday, 9 September 2008 at 2.00 p.m.**

Present: Councillor P Jones CBE (Chairman)
Councillor JW Hope MBE (Vice Chairman)

Councillors: CM Bartrum, DJ Benjamin, ME Cooper, PGH Cutter,
SPA Daniels, JHR Goodwin, R Mills, A Seldon and DC Taylor

In attendance: Councillors WLS Bowen

39. APOLOGIES FOR ABSENCE

No apologies for absence were submitted at the meeting.

40. NAMED SUBSTITUTES (IF ANY)

No named substitutes were appointed at the meeting.

41. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

42. MINUTES

RESOLVED: That the Minutes of the meeting held on 12th August, 2008 be approved as a correct record and signed by the Chairman.

Arising on Minute 32 (Increase in Hackney Carriage Fares) the Licensing Manager said that the proposals had been advertised and that no objections had been received so far. The closing date was midnight on 10th September.

Arising on Minute 35 (Application to reinstate expired vehicle licence) the Licensing Manager said that the policy issues involved were under investigation and that they would be the subject of a report to a future meeting of the Committee.

43. PROCEDURAL ARRANGEMENTS

The Committee noted the procedural arrangements for hearing appeals to ensure that the laws of natural justice were followed to give a fair hearing to the applicants

44. APPLICATION TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE OUTSIDE STANDARD CONDITION 9.5 BY MR SHAHID ALI

A report was presented by the Licensing Officer about an application for the reinstatement of a hackney carriage vehicle licence outside the Council's policies. He said that Mr Ali's licence had expired on 12th July, 2008 and that he had applied to renew it on 24th July. The policy for renewal stated that "All applications received after the date of expiry will be treated as Grants and not renewals and the appropriate conditions and fees will apply". Mr Ahmed, acting on behalf of Mr Ali, said that he had been a few days late with his application due to being out of the

Country and had suffered a period of illness on his return. He had subsequently attempted to renew his licence as soon as he could.

Having considered all the circumstances regarding the application, the Committee was satisfied with Mr Ahmed's explanation and agreed that Mr Ali's application could be treated as a renewal and not a new application. He was urged to deal with his renewals in a timelier manner in the future however.

RESOLVED THAT:

An application from Mr S Ali to deviate from the standard condition number 9.5, in respect of plate No.H313 for a Peugeot 406 be accepted and granted as a renewal.

45. APPLICATION TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE OUTSIDE STANDARD CONDITION 9.5 BY NICHOLAS JAMES MADDY

A report was presented by the Licensing Officer about an application for the reinstatement of a hackney carriage hire vehicle licence outside the Councils policies. He said that Mr Maddy's licence had been suspended on 21st December 2007 in line with the blanket suspension of licences for vehicles which had been converted from vans into mini buses. At that time Mr Maddy had been advised that he would have to obtain a VOSA Single Vehicle Enhanced Approval Test for the vehicle. Mr Maddy had submitted his application for renewal in June and the matter had gone to the next meeting of the Committee but been deferred because there were certain issues to resolved.

Mr Maddy explained that it had been a lengthy and complicated process for him to meet the new requirements of the Council regarding his converted minibus. He had needed to replace some of the seating and anchor points to comply with the requirements of the VOSA test. The Licensing Officer said that Mr Maddy had obtained a VOSA Single Vehicle Approval Test for the vehicle but that he needed to provide an Enhanced Test Certificate to satisfy the Councils requirements.

Having considered all the circumstances regarding the application, the Committee considered the points put forward by the Licensing Officer and Mr Maddy and felt that there was a need for further discussions between him and the officers about the application. It was therefore decided to defer the matter and arrange a further meeting to consider it in approximately two weeks time.

RESOLVED THAT:

Consideration of the application be deferred for further discussion between Mr Maddy and the Officers.

The meeting ended at 2.45 p.m.

CHAIRMAN