

**MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Tuesday 26 March 2013 at 2.00 pm**

**Present:** Councillor JW Hope MBE (Chairman)

**Councillors:** BA Durkin and GA Vaughan-Powell

**122. ELECTION OF CHAIRMAN**

Councillor JW Hope MBE was elected as Chairman for the Regulatory Sub-Committee hearing.

**123. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**124. NAMED SUBSTITUTES (IF ANY)**

There were no substitutes present at the hearing.

**125. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**126. FITNESS OF LICENSED VEHICLES H055 AND H275 FOLLOWING VOSA INSPECTION**

It was noted that the licence holder was unable to attend the meeting but that she had sent her husband to represent her. Members were concerned that they had not seen a written request from the licence holder and decided to defer the consideration of the matter for 1 month.

**RESOLVED**

**THAT the matter be deferred for one month.**

**127. APPLICATION TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE OUTSIDE STANDARD CONDITION 11.5**

The Sub-Committee gave consideration to a recommendation from the Licensing Officer that a hackney carriage/private hire driver's licence should be granted outside of the standard conditions subject to sufficient mitigation being forthcoming.

Prior to making their decision the Sub-Committee heard from the licence holder, who explained the reasons which had led to him being late in renewing his licence.

In view of the evidence put before it, the Sub-Committee decided that the licence should be granted

**RESOLVED**

**THAT the Hackney carriage/private hire licence be granted.**

**128. FITNESS OF LICENSED VEHICLE H088 FOLLOWING VOSA INSPECTION**

The Sub-Committee gave consideration to a recommendation from the Licensing Officer that the Vehicle Proprietor's Licence be subject to four penalty points. The recommendation was brought to the Sub-Committee after the vehicle was inspected as part of a joint operation between VOSA and West Mercia Police.

Prior to making their decision the Sub-Committee heard from the licence holder, who explained the reasons which had led to the vehicle being fitted with an additional seat at the time of the inspection.

In view of the evidence put before it, the Sub-Committee decided that the matter should be adjourned for a period of one month in order for further evidence to be put forward by the Licensing Department regarding the current penalty points allocated to the vehicle.

**RESOLVED**

**THAT the matter be deferred for one month.**

**129. FITNESS OF LICENSED VEHICLE H024 FOLLOWING VOSA INSPECTION**

The Sub-Committee gave consideration to a recommendation from the Licensing Officer that the Vehicle Proprietor's Licence be subject to four penalty points. The recommendation was brought to the Sub-Committee after the vehicle was inspected as part of a joint operation between VOSA and West Mercia Police.

Prior to making their decision the Sub-Committee heard from the licence holder, who explained the reasons which had led to his vehicle being found to have a defective tyre during the inspection. He explained that the driver had done a walk around check and had believed the tyre to be of an acceptable standard, he had therefore signed off his vehicle check form. He also explained that the vehicle was solely used for school transport and the driver had removed the meter as he was not aware that it should remain in situ at all times.

In view of the evidence put before it, the Sub-Committee decided that four penalty points should be issued to the proprietor for a breach of condition B10.

**RESOLVED**

**That the Regulatory Sub Committee:**

- a) issue 4 Penalty Points for a breach of Condition B10 (Failure by driver or proprietor to take reasonable precautions to ensure the safety of passengers); and,**
- b) allow the licence to be renewed.**

The meeting ended at 3.30 pm

**CHAIRMAN**