

MEETING:	COUNCIL
DATE:	24 JULY 2009
TITLE OF REPORT:	REPORT OF THE REGULATORY COMMITTEE MEETING HELD ON 9 JUNE AND 14 JULY 2009
MEMBERSHIP:	<p>Councillors: P Jones CBE (Chairman), JW Hope MBE (Vice-Chairman) CM Bartrum, DJ Benjamin, PGH Cutter, SPA Daniels, JHR Goodwin, PJ McCaull, A Seldon.</p> <p>Councillors: RC Hunt and JD Woodward were appointed to the Committee in place of Councillors ME Cooper and DC Taylor at an Extraordinary Council meeting on 12 June 2009</p>

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To note the report which is for information.

ALCOHOL CONSUMPTION IN PUBLIC PLACES – AMENDMENT DESIGNATION OF PUBLIC PLACES IN HEREFORD

1. The Committee has agreed to amend the Herefordshire (Alcohol Consumption in Designated Places) Order (No.3) 2007 in respect of Hereford City. Following a recent review it had been noted that when the original Order was made in 2007, Broad Street had been omitted. The Order gave the Police (including Community Support Officers) the power to require a person not to drink alcohol in a designated place, and to surrender any alcohol or alcohol containers. Failure to comply with an officer's requirements in respect of drinking or surrendering alcohol was an arrestable offence. An extensive consultation process was undertaken prior to the commencement of the Order and no further consultation is felt to be necessary by the Officers for Broad Street to be included.

PRIVATE HIRE VEHICLE CONDITIONS ATTACHED TO A SPECIALIST PRIVATE HIRE VEHICLES (FIRE ENGINES) LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

2. Consideration has been given to updating the conditions to be attached to Specialist Private Hire Vehicles in respect of de-commissioned Fire Engines. The original conditions for fire engines were agreed by the Committee in July 2006. Since that date changes had been made to the standard licence conditions which were applied to hackney carriage and private hire vehicles. These changes also need to be applied to the fire engines and the Committee decided to add the following conditions:-
 - (a) a vehicle may only be licensed providing that the it has passed an enhanced VOSA Single Vehicle Approval (SVA) test and the applicant has provided a written self-declaration that no changes have take place to that vehicle since the SVA test was passed; and
 - (b) the vehicle must be one which has been classified as a fire engine when first registered by the DVLA and not one which has been converted to a fire engine from another vehicle.

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

3. 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 Council's licensing conditions, or they wished to transfer a licence to a vehicle that does not comply with those conditions.
4. 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.
5. The applications were dealt with as follows:
 - (a) the suspension of a drivers licence by the Director of Environment and Culture was confirmed by the Committee;
 - (b) 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
 - (c) applicants for the renewal of vehicle licences were asked to be more timely when renewing to enable sufficient time for their applications to be processed and for their vehicles to be inspected at the Council's testing centre.

**P. JONES CBE
CHAIRMAN
REGULATORY COMMITTEE**

BACKGROUND PAPERS Agenda papers from the meetings of the Regulatory Committee held on 9 June and 14 July 2009.