

<b>MEETING:</b>	<b>REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>7 SEPTEMBER 2010</b>
<b>TITLE OF REPORT:</b>	<b>APPLICATION TO LICENCE A VEHICLE OUTSIDE STANDARD CONDITION BY MR ISSAM BAIRKDAR</b>
<b>PORTFOLIO AREA:</b>	<b>ASSISTANT DIRECTOR (EHTS) PUBLIC HEALTH DIRECTORATE</b>

**CLASSIFICATION:** open

### **Wards Affected**

Countywide

### **Purpose**

To decide whether to re-instate an expired vehicle licence plate outside the standard vehicle licence conditions.

### **Key Decision**

This is not a Key Decision.

### **Recommendation(s)**

**THAT the Regulatory Committee:**

**refuse this application as the plate expired in September 2008.**

### **Key Points Summary**

- Application made on 19<sup>th</sup> August 2010 to consider allowing an expired private hire plate to be re-licensed following its expiry in September 2008.

### **Alternative Options**

#### **1 The application be granted and the licence re-instated.**

**Advantages:** It would allow the vehicle proprietor to further increase his fleet of vehicles.

**Disadvantages:** It is not consistent with the standard licence conditions which the rest of the trade use to make their decisions.

**Reason why the Assistant Director has not recommended alternative 1:** Although this option has been considered it has not been recommended as it is considered to be an unfair

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Further information on the subject of this report is available from  
Claire Berrow – Licensing Officer on (01432) 383542

advantage for this individual and it increases a fleet of vehicles which is thought by the trade to be over saturated already.

2 **To defer the decision in order to get more information**

The Committee could make a decision to defer the decision while more information is requested.

**Advantages:** Gives the opportunity for the applicant to produce further information in support of the application and allows him a fair hearing.

**Disadvantages:** This would delay the decision process and may mean that the livelihood of the applicant could be affected and further costs would be incurred in another committee hearing.

**Reason why the Assistant Director has not recommended alternative 2:** It is felt that any information required to reach a decision has been provided within the application.

3 **To reach some other decision**

**Advantages:** This leaves other solutions open to the Committee to resolve the application.

**Disadvantages:** There are no clear directions from the Assistant Director with respect to other options.

**Reason why the Assistant Director has not recommended alternative 3:** It is difficult to envisage what other decision could be reached.

## Reasons for Recommendations

- 4 This private hire plate expired in September 2008 and as the trade already believe that there are enough or even too many vehicles, the application should be refused. The applicant can apply for a new Private Hire Plate and adhere to the standard licence conditions which other trade members use to base their businesses decisions.

## Introduction and Background

- 5 Under the terms of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 local authorities may make reasonable conditions for the regulation of both hackney carriages and private hire vehicles, drivers and operators. The standard licence conditions were approved in March 2010.

## Key Considerations

- 6 Whether or not to approve the application for re-instatement of an expired private hire plate.

## Community Impact

- 7 It is felt that any decision made will have very little or no impact on the community.

## Financial Implications

- 8 Not applicable

## Legal Implications

- 9 Under the Local Government (Miscellaneous Provisions) Act 1976 there is a right of appeal to a Magistrates Court within 21 days of notification of the decision being served on the applicant.

## **Appendices**

10 Appendix 1 – Application for application outside standard conditions

## **Background Papers**

Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.