



REGULATORY COMMITTEE

2.00 p.m. - 3.20 p.m.

20 October 2009

Present: Councillors Blower (Chair), Dylan (Vice-Chair), Hooke, Jago and Ramsay

Apologies: Councillors Banham and Lay

1. MINUTES

RESOLVED to agree the accuracy of the minutes of the Regulatory Committee held on 15 September 2009 subject to item *5 being amended to -

RESOLVED to—

- (1) unanimously to renew the Hackney Carriage Driver's licence and;
- (2) with 5 members voting in favour (Councillors Dylan, Banham, George, Hooke and Lay) and 2 against (Councillors Blower and Ramsay), to a suspension of 1 week because of the failure to notify the council of his conviction on 2 April 2008.

2. APPLICATION FOR LICENCE TO PLACE TABLES AND CHAIRS ON THE HIGHWAY – THE STEAM PACKET, 39 CROWN ROAD, NORWICH

(The applicant, Jamie Harrison, Mr and Mrs Conway, objectors and Lewis Keyes, Norwich City Council, Highways Engineer, attended the meeting for this item).

The Senior Licensing Officer circulated photographs and a plan of the area and presented the report. The applicant commented on the background to the application and explained having met with Mr and Mrs Conway and he was happy to accommodate the objectors concerns

The Highways Engineer explained that as an absolute minimum clear access of 1200mm across the entire footway access in front of the public house was needed.

Following discussion –

(The applicant, objectors, the Senior Licensing Officer and the Highways Engineer left the meeting at this point).

Following discussion it was:-

RESOLVED unanimously, to approve the application to place tables and chairs on the highway submitted in respect of the Steam Packet, 39 Crown Road subject to the standard conditions being applied and:-

- (1) the licence area used for tables and chairs would be contained by barriers at either end;
- (2) no more than 3 tables and 12 chairs being permitted within the licensed area;
- (3) tables and chairs shall be removed from the licensed area between 23.00 and 09.00 each day;
- (4) the position of the tables and chairs would be agreed following consultation with the Highways section and the Senior Licensing officer.

(The applicant, the objectors, the Senior Licensing Officer and the Highways Engineer were re-admitted to the meeting and informed of the decision minuted above).

3. EXCLUSION OF PUBLIC

RESOLVED to exclude the public from the meeting during consideration of Items 4 and 6 below on the grounds contained in paragraphs 1 and 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972.

***4. SUSPENSION/REVOCATION OF PRIVATE HIRE DRIVERS LICENCE - CASE NO. 16/31/3/703 (PARAGRAPHS 1 AND 3)**

(The licence holder attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the Committee).

The Senior Licensing Officer presented the report. In reply to a question the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since notifying the Council of his most recent convictions. He then answered detailed questions about the circumstances of his convictions for exceeding the statutory speed limit on 28 April 2009 and 13 May 2009. He also explained his failure to notify the Council in writing within 7 days of details of the offence on both 28 April 2009 and 13 May 2009.

(The licence holder and the Senior Licensing Officer left the meeting at this point).

Following a discussion it was -

RESOLVED, four members voting in favour (Councillors George, Hooke, Jago and Ramsay) and one against (Councillor Dylan) to take no action to suspend or revoke this Private Hire Drivers Licence.

(The licence holder and the Senior Licensing Officer were re-admitted to the meeting and informed of the decision minuted above. The Chair reminded the licence holder that the Committee had the power to revoke, suspend or refuse to renew the licence in the future if his conduct was not up to the standard expected of a licence holder).

***5. APPLICATION FOR RENEWAL OF A HACKNEY CARRIAGE DRIVER'S LICENCE - CASE NO. 16/31/3/523**

(The applicant attended the meeting for this item. He produced his DVLA licence for inspection by the Committee and confirmed that he had been informed of his right to be legally represented, however, he now considered he should be legally represented as he had a prosecution pending).

Following discussion, it was –

RESOLVED, unanimously, to adjourn this item until after the Hackney Carriage Drivers court case.

***6 APPLICATION FOR RENEWAL OF A HACKNEY CARRIAGE DRIVER'S LICENCE - CASE NO. 16/31/3/704**

(The applicant attended the meeting for this item. He confirmed that he had been informed of his right to be legally represented at the meeting but had chosen not to be. He produced his DVLA licence for inspection by the Committee.)

The Senior Licensing Officer presented the report. In reply to a question, the applicant said that he had not received any further convictions or formal cautions and was not aware of any pending prosecutions since his application. He then answered detailed questions about the circumstances of his convictions on 3 April 2006 for driving otherwise than in accordance with a licence, driving uninsured against third party risks and on 5 March 2009 for leaving a vehicle in a dangerous position.

(The applicant and the Senior Licensing Officer left the meeting at this point.)

Following discussion it was –

RESOLVED, unanimously, to approve the grant of a 3 month Private Hire Driver's Licence.

(The applicant and the Enforcement Officer were re-admitted to the meeting and informed of the decision minuted above. The Chair advised the applicant to familiarise himself with the 'Green Book' issued to all licence holders, he also reminded the licence holder that the Committee had the power to revoke or suspend or refuse to renew the licence in the future if the applicant's conduct was not up to the standard expected of a licence holder.)

CHAIR