

**MINUTES OF AN EXTRAORDINARY MEETING OF THE  
LICENSING AND APPEALS COMMITTEE  
HELD ON WEDNESDAY 20 MAY 2009 FROM 7.00 PM TO 7.15 PM**

*Present:- Pauline Helliard-Symons (Chairman), Chris Bowring, Andrew Bradley, Gerald A Cockroft, Kay Gilder, Mike Gore, Kirsten Miller and Malcolm Storry*

*Also present:-*

*Julia O'Brien, Principal Environmental Health Officer  
Madeleine Shopland, Senior Democratic Services Officer*

## **PART I**

### **5. MINUTES**

The Minutes of the meeting of the Committee held on 25 March 2009 were confirmed as a correct record and signed by the Chairman.

### **6. APOLOGIES**

Apologies for absence were submitted from Councillors Haines, Patman, Rahmouni, Stretton and Wyatt

### **7. DECLARATIONS OF INTEREST**

Andrew Bradley declared a personal interest in item 10.00 Hackney Carriage and Private Hire Licensing Policy Amendments – Classic Vehicles on the grounds that he owned a chauffeur driven hire car company.

### **8. PUBLIC QUESTION TIME**

There were no public questions received.

### **9. MEMBER QUESTION TIME**

There were no Member questions received.

### **10. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AMENDMENTS – CLASSIC VEHICLES**

The Committee discussed potential amendments relating to Classic Vehicles relating to the Hackney Carriage and Private Hire Licensing Policy.

During the discussion the following points were made:

- Members were informed that an SVA certificate was a Single Vehicle Accreditation Certificate and was unique to the particular car.
- The Principal Environmental Health Officer indicated that 'old style' vehicles were replicas built in the style of classic vehicles. Classic vehicles were taken to mean either vehicles constructed pre 1 January 1973 or a replica of such vehicles built after 1 January 1973, which does not do more than more than an annual mileage of 2500 per calendar year, is in very good condition, is garaged when not in use, has a minimum of 4 doors and carries a minimum of 4 passengers.
- Some format and wording changes were suggested to ensure greater readability.
- It was noted that weddings and funerals were excluded from the relevant legislation and that the amendments to the policy did not apply to cars being hired for these purposes.

**RESOLVED:-** That the following additional requirements for Classic Vehicles under the Hackney Carriage and Private Hire Licensing Policy be agreed:

- 1) Classic vehicles are not required to comply with the vehicle standards as set out in paragraph 2.2 of the Hackney Carriage and Private Hire Licensing Policy, although reference must be made to the minimum standards as laid down in Section 48 of the Local Government (Miscellaneous) Provisions Act 1976 with regards to suitability, safety and comfort of the vehicle.
- 2) Where cars are legally allowed on the road without seatbelts there is no additional requirement that they be fitted.
- 3) The vehicle must be inspected and pass a standard government MOT test every six months.
- 4) Insurance must be specific for the vehicle to be used for hire and reward purposes.
- 5) Replica vehicles must be provided with a SVA certificate.
- 6) A private hire licence plate identification card must be fitted internally to the front windscreen
- 7) The vehicles may only be driven by a driver who holds a Wokingham Borough Council private hire badge.

#### **11. STREET TRADING CONSENT CONSULTATION AMENDMENTS**

The Committee considered a report on street trading consultation amendments.

During the discussion the following points were made:

- Site notices would be similar to those put up for premises licences.
- Members questioned how the trading could erect a site notice if they did not own the land on which they traded and were informed that traders could put the notice on nearby lamp posts or posts. If there was not any posts nearby a stake could be erected.
- There were currently 12 static street traders in the borough and 2 ice cream vans operating in the Wokingham borough. It was noted that the street trading consent for the ice cream vans referred to the entire rather than a specific site as the vans were mobile rather than stationary.
- The Committee asked how residents would know that they might want to go on the register interest. They were notified that this register would often refer to residents who had previously complained about previous applications.
- The Principal Environmental Officer confirmed that 'particular interest' meant residents who lived in the vicinity of a particular site.
- Members asked whether the possibility of allowing licences for longer than a 12 month period had been considered. The Principal Environmental Officer commented that advice would be sought from the Legal Team on this matter.

**RESOLVED:-** That the following additional steps for the consultation process for Street Trading Consent be agreed

- 1) A requirement for the applicant to post a site notice in the location where the van is to be situated. This will allow all those residents living in the vicinity to see the notice had make their representations accordingly.
- 2) The creation of a register of interest where occupiers who have a particular interest in a site can request that they are consulted on any application for that site.

## **12. ANY OTHER BUSINESS**

Members were asked to volunteer for a possible forthcoming Licensing and Appeals Hearing.

*These are the Minutes of a meeting of the Licensing and Appeals Committee*

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