



**WOKINGHAM
BOROUGH COUNCIL**

**MEETING OF THE
LICENSING AND APPEALS COMMITTEE**

ON

TUESDAY 10 JANUARY 2012

AT

7PM

AGENDA

**Civic Offices
Shute End
Wokingham
Berkshire**

**Andy Couldrick
Interim Chief Executive**



**WOKINGHAM
BOROUGH COUNCIL**

THE COUNCIL'S VALUES

In making a difference to other people's lives we are ...

- **ONE Wokingham, ONE Borough – working in partnership**
- **FOCUSED on Customers and Community**
- **BOLD – innovative and flexible**
- **OPEN – integrity, trust and transparency**

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WOKINGHAM BOROUGH COUNCIL

To: The Chairman and Members of the Licensing and Appeals Committee

A Meeting of the **LICENSING AND APPEALS COMMITTEE** will be held at the Civic Offices, Shute End, Wokingham on **Tuesday 10 January 2012 at 7pm**

Andy Couldrick
Interim Chief Executive
22 December 2011

Members:- Barrie Patman (Chairman), Chris Bowring (Vice Chairman), Annette Drake, Michael Firmager, Lee Gordon-Walker, Mike Gore, Mike Haines, Philip Houldsworth, Abdul Loyes, Ken Miall, Sam Rahmouni, Chris Singleton, Dee Tomlin and Bob Wyatt

ITEM NO.	WARD	SUBJECT	PAGE NO.
27.00	None Specific	MINUTES To confirm the Minutes of the Meeting of the Committee held on 5 September 2011.	1-2
28.00	None Specific	APOLOGIES To receive any apologies for absence	
29.00		DECLARATIONS OF INTEREST To receive any declarations of interest	
30.00		PUBLIC QUESTION TIME To answer any public questions	

The Council welcomes questions from members of the public about the work of this Committee

Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact Democratic Services on the numbers listed below or go to www.wokingham.gov.uk/publicquestions

Explanatory leaflets are also available in the Civic Offices and Libraries.

31.00

MEMBER QUESTION TIME

To answer any member questions

32.00

None Specific

HACKNEY CARRIAGE TARIFF REVIEW

**To
follow**

To consider a report on the Hackney Carriage Tariff Review.

33.00

**ANY OTHER ITEMS WHICH THE CHAIRMAN
DECIDES ARE URGENT**

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading

This is an agenda for a meeting of the Licensing and Appeals Committee

If you need help in understanding this document or if you would like a copy of it in large print please contact one of our Team Support Officers.

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**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON MONDAY 5 SEPTEMBER 2011 FROM 7.00PM TO 7.20PM**

Present:- Annette Drake, Michael Firmager, Lee Gordon-Walker, Mike Gore, Mike Haines, Abdul Loyes, Ken Miall, Sam Rahmouni and Chris Singleton

Also present:-

*Julia O'Brien, Principal Environmental Health Officer (Licensing)
Steve Richardson, Environmental Health and Licensing Manager
Madeleine Shopland, Senior Democratic Services Officer*

PART I

17. ELECTION OF CHAIRMAN

Due to the absence of the Chairman and the Vice Chairman Councillor Singleton was elected Chairman for the meeting.

18. MINUTES

The Minutes of the meetings of the Committee held on 23 May 2011 and 4 July 2011 were confirmed as a correct record subject to the following amendments and signed by the Chairman:

Annette Drake and Lee Gordon-Walker gave their apologies for the meeting held on 23 May 2011.

19. APOLOGIES

An apology for absence was submitted from Councillor Chris Bowring, Philip Houldsworth, Barrie Patman, Dee Tomlin and Bob Wyatt

20. DECLARATIONS OF INTEREST

No declarations of interest were submitted.

21. PUBLIC QUESTION TIME

There were no Public questions.

22. MEMBER QUESTION TIME

There were no Member questions.

23. PRIVATE HIRE VEHICLE AGE RESTRICTION

Members were reminded that at the meeting on 23 May the Committee had considered a report into a Private Hire Age restriction exemption in exceptional circumstances and had resolved that existing Private Hire Drivers be consulted on the amendment and criteria with responses being brought back to the Committee. The views of existing Private Hire Drivers had been sought regarding an amendment to the current Hackney Carriage and Private Hire Licensing Policy to allow the maximum age limit for Private Hire vehicles to be more than 8 years of age in exceptional circumstances and provide guidance on the criteria that vehicles would have to meet. Sixteen responses had been received. Fifteen drivers had requested a change to the maximum age of Private Hire Vehicles and of these four requested that the limit be amended to 10 years. Members were asked to consider drivers' counter suggestion that the maximum age limit of Private Hire Vehicles be increased from the current 8 years to 10 years.

The Committee were also notified that the Environmental Health Services Team was producing an Air Quality Action Plan (AQAP) under Part IV of the Environment Act 1995 to address expediency of national objective levels for annual mean nitrogen dioxide in the vicinity of the M4. The plan would consider various options the Council could use to reduce levels of nitrogen dioxide in the borough. Road traffic was the principle source of nitrogen dioxide emissions in Wokingham. Reducing the level of emissions from public transport including Private Hire Vehicles could be considered.

During the discussion of this item the following points were made:

- Drivers had requested an amendment to the existing age limit.
- The Council had a policy regarding classic cars in place.
- Members were reminded that the vehicles on the fleet were subjected to vehicle tests in addition to the MOT. These vehicle tests looked at matters such as body work and mileage of the vehicles. Vehicles aged 5 and over were tested every 6 months until they came off the fleet. A Member commented that the safety and economy of vehicles was continually improving as technology developed.
- Each application was considered on its own merits.
- If the Committee was minded to amend the age limit those vehicles that were currently near to being taken off the fleet would have an additional 2 years on the fleet.
- National guidance suggested that Private Hire vehicles should be taken off the road when they reached 10 years old.
- Officers confirmed that there were no black cabs operating in Wokingham. National guidance also suggested moving away from the use of these vehicles.

RESOLVED That no change be made to the Hackney Carriage and Private Hire Licensing Policy with regard to providing for an exemptions policy to the maximum age allowed for Private Hire Vehicles in exceptional circumstances or increasing the maximum age limit of Private Hire Vehicles from 8 years to 10 years

24. HEARINGS UPDATE AND UPDATE ON DECISIONS MADE BY OFFICERS

The Committee received an update on the School Transport Appeals which had been held since the last meeting of the Committee.

Members were informed of decisions made by Officers since 1 January 2011. It was noted that 86 Personal Licences had been issued, 56 of which were new. 86 Premises licences had been issued. These included 47 new licences, 15 transfers and 34 variations of which 9 were minor variations. 304 Temporary Events Notice had been issued.

RESOLVED That the Hearings Update and the Update on decisions made by Officers be noted.

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

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