



Special Regulatory Committee

**Tuesday, 23 September 2008 6.30 p.m.
Council Chamber, Runcorn Town Hall**



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Ged Philbin (Chairman)
Councillor Pamela Wallace (Vice-Chairman)
Councillor Bob Bryant
Councillor Philip Drakeley
Councillor Harry Howard
Councillor Diane Inch
Councillor Alan Lowe
Councillor Peter Murray
Councillor Ernest Ratcliffe
Councillor Kevan Wainwright
Councillor Mike Wharton

*Please contact Gill Ferguson on 0151 471 7395 or e-mail gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Wednesday, 24 September 2008*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. DECLARATION OF INTEREST	
<p>Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.</p>	
2. TAXI LICENSING MATTER	1 - 3
3. TAXI LICENSING MATTER	4 - 6
4. SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	
<p>SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985</p> <p><i>In this case the Board has a discretion to exclude the press and public but, in view of the nature of the business to be transacted, it is RECOMMENDED that under Section 100(A)(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 of Part 1 of Schedule 12A to the Act.</i></p>	
5. TAXI MATTERS	7 - 12

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT: Regulatory Committee
DATE: 23 September 2008
REPORTING OFFICER: Chief Executive
SUBJECT: Taxi licensing matter
WARDS: Borough-wide

1. PURPOSE OF REPORT

John Minogue of The Homestead Cronton Widnes does not hold a Single Status Drivers Licence in Halton but has held Hackney Carriage Vehicle Licence No 314. Mr Minogue failed to complete the renewal of the vehicle licence before the expiry of the licence and has asked that the committee allow him to complete the renewal application.

2. RECOMMENDED

That the Committee considers whether the vehicle licence can be reissued to Mr Minogue .

3. SUPPORTING INFORMATION

- 3.1 On 15 May 2008 Mr Minogue submitted an application to renew Hackney Carriage Vehicle Licence Number 314 a Skoda Octavia which was due to expire on 4 June 2008.
- 3.2 On 10 June 2008 a letter was sent to Mr Minogue by the Licensing Section advising him that as he had not completed the renewal application by the expiry date he had lost the entitlement to the Licence.
- 3.3 Mr Minogue had failed to provide the System Operator Form, Certificate of Insurance, Certificate of Compliance and the Vehicle Consent Form these documents are still outstanding.
- 3.4 Following this letter and a letter dated 11 June 2008 sent to Mr Minogue by John Findlow (Enforcement Officer), Mr Minogue met with John Findlow on 16 June 2008 to explain the reasons why the renewal application had not been completed before the expiry. Mr Minogue explained that the vehicle had been booked in for test on 28 May 2008 however he had been in Cyprus prior to this date and whilst on holiday fell ill and returned home still unwell. This illness together with a serious

illness in Mr Minogues family resulted in him completely overlooking the test appointment.

- 3.5** On realising the error Mr Minogue applied for and received a further test date for 11 June 2008 and immediately took the taxi off the road pending the new test date. However as Mr Minogue was informed that he had lost the entitlement to the licence he cancelled the vehicle test.
- 3.6** Mr Minogue has asked to come before the Regulatory Committee to request that he be allowed to complete a late renewal application.

4 COMMENTS

- 4.1** As there is a restriction on the number of Hackney Carriage Vehicle Licences in Halton (currently 267) when a Hackney Carriage vehicle licence expires it is deemed to no longer exist and cannot be renewed. However it may at the discretion of the Councils Regulatory Committee be reissued.

5 OPTIONS

- 5.1** The options available to the Committee are:
- Agree to re-issue the vehicle licence to Mr Minogue
 - Refuse to re-issue the vehicle licence to Mr Minogue.

6 POLICY IMPLICATIONS

None

7 OTHER IMPLICATIONS

None

8 IMPLICATIONS FOR THE COUNCILS PRIORITIES

- 8.1 Children and Young People in Halton**
None
- 8.2 Employment Learning and Skills in Halton**
N/A
- 8.3 A healthy Halton**
N/A
- 8.4 A Safer Halton**
None
- 8.5 Halton's Urban Renewal**
N/A

9 RISK ANALYSIS

N/A

10 EQUALITY AND DIVERSITY ISSUES

N/A

11 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Application Documents	Legal Services	John Tully/Kay Cleary

REPORT: Regulatory Committee
DATE: 23 September 2008
REPORTING OFFICER: Chief Executive
SUBJECT: Taxi licensing matter
WARDS: Borough-wide

1. PURPOSE OF REPORT

Lee Nolan c/o 4 Clover Court Runcorn is the holder of Single Status Drivers Licence No 904 which is due to expire on 6 November 2009. In addition Mr Nolan held Hackney Carriage Vehicle Licence No 102 which expired on 5 June 2008. Mr Nolan failed to renew the vehicle licence and has requested that the licence be reissued to him.

2. RECOMMENDED

That the Committee considers whether the vehicle licence can be reissued to Mr Nolan.

3. SUPPORTING INFORMATION

- 3.1 On or about April 2007 application forms were sent to Mr Nolan at c/o 3 Clover Court Runcorn (changed to c/o 4 Clover Court Runcorn on 15 July 2008) to enable him to renew his Hackney Carriage Vehicle Licence.
- 3.2 On 22 May 2008 Mr Nolan advised the Licensing Section that his vehicle was booked in for test on 5 June 2008 but that he was returning the vehicle and would be obtaining a new vehicle.
- 3.3 Mr Nolan failed to submit an application to either renew or transfer the vehicle licence to another vehicle by 5 June 2008.
- 3.4 A letter dated 1 July 2008 was sent to Mr Nolan by the Licensing Section to advise that as he had not renewed the licence he had lost the entitlement to the vehicle licence.
- 3.5 On 15 July 2008 the Licensing Section received an application to transfer the vehicle licence from Mr Nolan to another licensed driver. Both Mr Nolan and the other driver were notified that the licence could

not be transferred because it expired on 5 June 2008 and therefore did not exist.

- 3.6** Mr Nolan is appealing to the Committee to allow the vehicle licence to be reissued to him.

4 COMMENTS

- 4.1** As there is a restriction on the number of Hackney Carriage Vehicle Licences in Halton (currently 267) when a Hackney Carriage vehicle licence expires it is deemed to no longer exist and cannot be renewed. However it may at the discretion of the Councils Regulatory Committee be reissued.

5 OPTIONS

- 5.1** The options available to the Committee are:
- Re issue to vehicle licence to Mr Nolan
 - Refuse to reissue the vehicle licence to Mr Nolan.

6 POLICY IMPLICATIONS

None

7 OTHER IMPLICATIONS

None

8 IMPLICATIONS FOR THE COUNCILS PRIORITIES

- 8.1 Children and Young People in Halton**
None
- 8.2 Employment Learning and Skills in Halton**
N/A
- 8.3 A healthy Halton**
N/A
- 8.4 A Safer Halton**
None
- 8.5 Halton's Urban Renewal**
N/A

9 RISK ANALYSIS

N/A

10 EQUALITY AND DIVERSITY ISSUES

N/A

11 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document

Place of Inspection

Contact Officer

Application
Documents

Legal Services

John Tully/Kay Cleary

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted