

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Monday, 16 June 2008 in the Civic Suite, Town Hall, Runcorn

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, Drakeley, D. Inch and A. Lowe

Apologies for Absence: Councillors Howard, Murray, Nelson, E. Ratcliffe and Wainwright

Absence declared on Council business: None

Officers present: G. Ferguson, L. Capper, K. Cleary, J. Findlow and J. Tully

Also in attendance: 3 members of the public

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

REG3 MINUTES

The minutes of the meeting held on 14th March, 2nd April, 3rd April and 10th April 2008 having been printed and circulated were taken as read and signed by the Chairman as a correct record.

REG4 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

It was noted that the following report had been placed in Part II of the agenda as the public interest in maintaining the exemption outweighed the public interest in disclosing the information. Therefore members of the press and public should be excluded from the meeting during its consideration in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

However, Members of the Committee considered the

Action

officer recommendation that the item should be placed in Part I of the agenda and therefore RESOLVED that the item should be discussed in Part I of the agenda and the press and public included.

REG5 TAXI MATTERS

The Committee were advised that on 8 April 2008 Mr Forbes applied to licence vehicle registration number MK08 KZS a black Vauxhall Vivaro Combi as a Hackney Carriage Vehicle. On the application form Mr Forbes did not indicate the number of passenger seats excluding the driver.

For MPV style vehicles the Council had a condition that there was approved seat configuration to allow safe access and egress for passengers at all times. (MPV mean multi purpose vehicle in which the seats may be removed or reconfigured and which may be wheelchair compatible). Also the maximum number of passengers which may be carried by any vehicle shall be determined by the Council (See HCV Conditions numbers 2.1.2 and 2.3 - Qualifying Vehicles)

The Councils Enforcement Officer dealt with the application and noted that the seat configuration of the vehicle would only allow 6 passengers.

It was noted that the seating pattern of the vehicle as presented for test was such that access /egress to the rear seats was obstructed. In order to comply with conditions a seat would be required to be removed. Further, legroom in front of the driver's side of the front bench seat was so restricted as to prevent a passenger from travelling in a safe and comfortable manner. Together with the removal of the rear seat this would reduce the passenger capacity by two thus reducing the capacity to 6 passengers seats.

Mr Forbes was appealing against the decision not to allow 7 passengers as he felt that the seating capacity should be increased to 7 in line with the manufacturers specification. Mr Forbes attended and addressed the Committee in support of his appeal against this decision.

Prior to making a decision the Committee adjourned to view the black Vauxhall Vivaro Combi and also a similar vehicle.

RESOLVED: That

(1) vehicle licence registration number MK08 KZS a black

Vauxhall Vivaro Combi, failed to comply with current conditions on Hackney Carriage vehicles therefore no exception could be made; and

- (2) a review of the qualifying vehicle element of the Hackney Carriage and Private Hire vehicle licence conditions would be undertaken, in consultation with the Taxi Consultative Group/Trade and the findings of the review brought to the Committee at its September meeting.

Meeting ended at 7.55 p.m.