

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 11 March 2015 in the Council Chamber, Runcorn Town Hall

Present: Councillors K. Loftus (Chairman), Wallace (Vice-Chairman), Fry, P. Hignett, Howard, A. Lowe, McDermott, Nelson, G. Stockton and A. Wall

Apologies for Absence: None

Absence declared on Council business: Councillor Lea

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

Also in attendance: 9 Members of the public.

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

Action

REG11 MINUTES

The Minutes of the meeting held on 17th December 2014 and 14th January 2015 having been circulated were signed as a correct record.

REG12 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business 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 to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in

the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business 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.

REG13 TAXI LICENSING MATTER

Case No. 690

The Single Status Drivers Licence be suspended for a period of five months.

Strategic Director
Policy and
Resources

Councillor Howard was in attendance for the following two items.

REG14 PART I

REG15 TAXI LICENSING MATTER

The Committee was advised that PCS (Events) Limited of 1 Fair Oak Lane, Whitehouse, Runcorn operated solely as a Chauffeur Service and were required to licence their vehicles as Private Hire Vehicles and their drivers as Single Status Drivers. Although PCS had not made an application for a vehicle or drivers licence to the Council, PCS had requested that they be permitted to:

1. Use black cars as Private Hire Vehicles;
2. Have a Plate Exemption/Gold Plate;
3. Have vehicles which have manufacturers tinted glass;
4. Have restricted Private Hire Vehicle Drivers Licence for chauffeur drivers (with modified knowledge test and exemption from the DSA driving assessment).

Following introduction by the Chairman, the Council's legal representative outlined the issues in the Committee item. On behalf of PCS, Mr Wilson, Mr Murphy, Mr Arslanian

and Mr Woodrow were in attendance. Mr Wilson addressed the Committee in support of the proposed variation from the Council's policies and conditions in relation to Single Status Drivers Licences and Private Hire Vehicle Licences.

A summary of the requests, together with comments, were set out in the report. In addition, extracts from the Council's Private Hire Vehicles conditions were also included in the report. A correction to paragraph 1.5 of appendix A in the report was noted by the Committee.

The requests were made to establish the principles which would apply as and when applications for licences were made relating to the applicant's business.

RESOLVED: That

- (1) in view of the detailed case put forward by the applicant it would be reasonable to make the following exemptions to the Council's standard licences and licence conditions;
- (2) in respect of applications to licence the applicant's vehicles for private hire, vehicle conditions exemptions would as requested apply (as described in the agenda) to (i) the gold plate request; (ii) the vehicle colour request (limited to 10% of the applicant's fleet which currently extended to approximately 140 vehicles); and (iii) the tinted glass request;
- (3) in respect of applications to licence the applicant's drivers, they would be subject to restricted driver licences (i.e. be limited as indicated in the agenda instead of being standard single status driver licences) and would be exempted from Part 1 of the Council's Taxi Knowledge Test and also the DSA driving assessment; and
- (4) the Council's Licensing Manager be authorised to process and issue licences reflecting the above decisions of principle and to determine all consequential matters relating to the wording of licences which may be granted.

Strategic Director
Policy and
Resources

Councillors Fry and Wallace declared a Disclosable Other Interest in the following item as they were a customer of Executive Travel. Also Councillor Wall declared a Disclosable Other Interest in the following item as a representative of Executive Travel was known to her. They

took no part in the discussion and left the room whilst a decision was made.

REG16 TAXI LICENSING MATTER

The Committee was advised that Executive Travel NW Limited of Halton Memorial Services, Appleton Village, Widnes operated an airport transfer service and were required to licence their vehicles as Private Hire Vehicles and their drivers as Single Status Drivers (SSD). Executive Travel had submitted a request that the following two of the pre-conditions for a SSD licence do not apply to their drivers:

1. the requirement to take a Taxi Knowledge Test; and
2. the DSA driving test.

Following introduction by the Chairman, the Council's legal representative outlined the application. On behalf of Executive Travel, Mr Coogan, Mr Fillingham, Ms Glover and Councillor Philbin were in attendance and Councillor Philbin addressed the Committee in support of the proposed variation from the Council's policies and conditions in relation to SSD Licence.

Having observed the decision of the Committee on the previous agenda item Councillor Philbin confirmed that the application be amended to request an exemption from Part I of the Council's Taxi Knowledge Test rather than the whole of the Test.

Members noted that Executive Travel had been operating within Halton for over 25 years and over the last 10 years had operated under the VOSA Public Service Vehicle Scheme. The Company did not undertake any journeys smaller than Widnes to Liverpool Airport and had no wish to encroach on any taxi trade within the borough. Members also considered information supplied by Executive Travel detailing arrivals and departures the Company undertook during the period 5th November 2014 to February 2015.

The requests were made to establish the principles which would apply as and when applications for licences were made relating to the applicant's business (a number of which had already been submitted).

RESOLVED: That

- (1) In view of the detailed case put forward by the applicant it would be reasonable to make the

Strategic Director
Policy and
Resources

following exemptions to the Council's standard SSD licences and licence conditions;

- (2) In respect of applications to licence the applicant's drivers, they would be subject to restricted driver licences (i.e. be restricted as indicated in the agenda instead of being standard single status driver licences) and would be exempted from Part 1 of the Council's Taxi Knowledge Test and also the DSA driving assessment; and
- (3) The Council's Licensing Manager be authorised to process and issue licences reflecting the above decisions of principle and to determine all consequential matters relating to the wording of licences which may be granted.

Meeting ended at 8.10 p.m.