

LICENSING AND APPEALS COMMITTEE

TUESDAY, 7 SEPTEMBER 2021

Present: Councillor D Bagshaw, Chair

Councillors: D Grindell
R I Jackson
R D MacRae
J C Patrick
D D Pringle
M Radulovic MBE
I L Tyler
H G Khaled MBE (Substitute)
P Roberts-Thomson (Substitute)

Apologies for absence were received from Councillors E H Atherton, E Cubley and P D Simpson

8 DECLARATIONS OF INTEREST

There were no declarations of interest.

9 MINUTES

The minutes of the meeting held on 8 June 2021 were confirmed and signed as a correct record.

10 PROPOSED AMENDMENTS TO THE COUNCIL'S CURRENT HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

The Committee was asked to consider proposals to amend the Council's Hackney Carriage and Private Hire Licensing Policy with regards to Insurance write off vehicles and the provision of tinted windows.

Currently the policy made no reference to the licensing of vehicles being written off following involvement in accidents. In order to comply with the policy statement, no Hackney Carriage (HC) or Private Hire Vehicle (PHV) that have been categorised in any category of write off should be licensed by the Council.

It was proposed to amend paragraph 6.1 of the current policy that the Council would consider all applications for vehicle licences on their own merits. However, any vehicle that was to be licensed as a HC/PHV must not have any damage affecting the safety of the vehicle. Any vehicle that was written off for insurance purposes would not be licensed, regardless of category. Applicants were advised that before purchasing a vehicle, it was thoroughly inspected by a competent person and that a full HPI check was carried out on the vehicle.

Currently the Hackney Carriage and Private Hire Vehicle Specification in Appendix I, Paragraph 17, of the current policy stated that tinted windows would not normally be permitted. However, since 1985 many vehicles had been manufactured with a degree of tint as a standard specification. The proposed Amendment to Appendix I, Paragraph 17 was proposed that all vehicles must comply with the Road Vehicles (Construction and Use) Regulations 1986 and in particular the requirements relating to tinted windows. Tinted windows may be allowed subject to manufacturers specification. The front windscreen must let at least 75% of light through, the front side windows must let at least 70% of light through, only manufacturer fitted tinted and anti-glare windows were acceptable and no alterations were to be made to the original vehicle specification.

RESOLVED that the proposed amendments be approved.

11 TRAINING SESSION

The Committee welcomed a training and development session on the Functions of the Committee including, Licensing and Registration, Appeals to Committee and the Hearing Process.

Members suggested whether other training sessions could be made available on Contaminated land, Asbestos and Japanese knot weed.

12 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

(Councillors R I Jackson and H G Khaled MBE left the meeting prior to the consideration of this item).

13 APPEAL HEARING

The Committee considered a joint appeal made by two current employees. Members considered the written and oral representations made to them, together with all relevant Broxtowe Borough Council Policies.

RESOLVED that the Investigating Officer's decision at stage 2 of the grievance process be amended.