

<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No. 4</b>
<b>16 JUNE 2009</b>	<b>PUBLIC REPORT</b>

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**SUMMARY OF COMMITTEE HEARINGS HELD UNDER THE PREVIOUS COMMITTEE STRUCTURE**

**1. PURPOSE AND REASON FOR REPORT**

The purpose of the report is for information purposes only, summarising committee hearings and meetings held by the Licensing Committee under the previous committee structure. The report will offer new members of the committee an insight in to the various issues involved when considering a licence application or when considering proposed changes in miscellaneous conditions.

The report will also act as a refresher for existing members of the committee who may have not been present at particular committee hearings.

**2. PREVIOUS HEARINGS HELD**

**2.1 Hearing Date: 24 June 2008**

**Trader: Mr Karayilan, Munchies, Bretton Way, Peterborough.**

**Application Type: Appeal against the refusal of a Street Trading Application Local Government (Miscellaneous Provisions) Act 1982**

**Summary:** Previously a similar application by the same applicant under the name of Mr Ceylan was refused by the Licensing Committee at a hearing on 20 November 2007. This was following objections received from Ward Councillors, members of the public and local businesses. On this occasion the committee's decision was to refuse the application on the grounds of the applicant's previous trading history and the number of complaints received by the Local Authority.

The new application for a Street Trading Consent was submitted by a MR Karayilan (formally Mr Ceylan) to trade on Bretton Way adjacent to the Roadways House. After consultation and considering the previous trading history and the high number of objections received by the authority from local residents and businesses the Head of Environmental & Public Protection Services using his delegated powers refused to grant the consent. The applicant used his right of appeal to have the application determined by the Licensing Committee. Local residents had raised a number of objections, and local businesses had concerns relating to parking issues. The Principal Licensing Officer also highlighted issues with the applicants trading issues.

**Committee Decision:** Members did not think it fit to grant a Street Trading Consent to Mr Ceylan for the following reasons:

1. Bretton is a developing area with a number of trading outlets and the Committee did not feel that there was a need for an extra outlet.
2. Road safety issues relating to the application site.
3. The previous trading history of the applicant at that site.

## 2.2 Meeting Date: 10 March 2009

**Summary:** At the Licensing Committee held on 10 March 2009 the Committee were asked to consider a report by the Taxi Licensing Department. The report outlined the proposal of additional mandatory conditions to be attached to Hackney Carriage and Private Hire Vehicle Licences as issued under the Local Government (Miscellaneous Provisions) Act 1976.

**Background:** Since the winter of 2006 there have been a number of high profile attacks on Peterborough drivers. Drivers have been stabbed, robbed at knifepoint and one gentleman left in Addenbrookes with life threatening injuries. As a result the trade demanded that the council and police should address the driver safety issue. Following the trade request the Taxi Issues Group was formed. The group included representatives from Police, council, Councillors, members of the taxi/private hire trade, Peterborough Mediation, Peterborough Racial Equality Commission. After a number of meetings the only way the group felt we could improve driver safety was to make CCTV and the NVQ course in Road Passenger Transport compulsory requirements of licence.

A number of crimes also listed the driver as the offender; these crimes include serious assaults (physical and sexual), threats and kidnapping.

### **Committee Decision:**

The introduction of a further requirement of fitness to be attached to the grant of a licence to including the wording, **“All new applicants , upon applying for a Hackney Carriage or Private Hire Driver’s Licence, undertake the NVQ level 2 Course, “Road Passenger Vehicle Driving” with a training provider who meets the specification laid down by the authority.** New Applicants would initially be issued a six month licence, and on completion of the course the licence would then be extended to the full year at no additional charge.

That all existing licensed hackney carriage and private hire drivers undertake and successfully complete the NVQ level 2 Course, “Road Passenger Vehicle Driving” with a training provider who meets the specification laid down by the authority in Appendix D, before a designated deadline, dated two years from the Licensing Committee’s decision.

The introduction of a requirement that all vehicles licensed by Peterborough City Council as Hackney Carriage or Private Hire vehicle should be, as a condition attached to the grant of licence, fitted with a CCTV system of a type and specification laid down by the authority in Appendix C, before a designated deadline, dated 2 years from the Licensing Committee decision and that all new vehicles and replacement vehicles are fitted with the CCTV system prior to being licensed. The additional vehicle licence conditions to read:

**“The vehicle shall be fitted with a fully functional CCTV system of a type meeting the system requirements set out in the CCTV Specification Criteria.”**

**“The CCTV system shall be kept in proper working order, serviced as appropriate and the vehicle will be made available to allow authorised officers access to download footage.”**