

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Committee**
held on Monday, 16th January, 2012 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor P Whiteley (Chairman)
Councillor W S Davies (Vice-Chairman)

Councillors C Andrew, Rhoda Bailey, D Bebbington, H Davenport, I Faseyi,
M Hardy, A Harewood, D Mahon and M Parsons

OFFICERS IN ATTENDANCE

Mr T Coppenhall, Commercial Team Leader
Mr D Hawkes, Team Leader Investigations
Mrs K Khan, Solicitor
Mrs J Zientek, Democratic Services Officer

Apologies

Councillors L Gilbert, L Smetham and G Wait

14 DECLARATIONS OF INTEREST

There were no declarations of interest.

15 PUBLIC SPEAKING TIME/OPEN SESSION

In accordance with Procedure Rules 11 and 35, Mr Gillick, Mr Clowes and Mr Stennett addressed the Committee in relation to Item 9: Hackney Carriage Vehicle Conditions.

Note: With the agreement of the Chairman, Mr Gillick, Mr Clowes and Mr Stennett spoke prior to the Committee's consideration of the relevant item of business.

16 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 12 September 2011 be approved as a correct record and signed by the Chairman.

17 MINUTES OF LICENSING SUB-COMMITTEES

RESOLVED – That the minutes of the Licensing Act Sub-Committee meetings held on 6 June 2011, 13 June 2011, 22 July 2011, 15 August 2011, 26 August 2011, 8 September 2011, 23 September 2011, 28 October 2011, 3 November 2011, 2 December 2011 and 22 December

2011 and the General Licensing Sub-Committee meetings held on 20 June 2011, 27 July 2011, 31 October 2011 and 28 November 2011 be received.

18 BYELAWS RELATING TO ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN COLOURING, COSMETIC PIERCING AND ELECTROLYSIS

The Committee considered a report regarding proposed draft byelaws relating to the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

Byelaws dealing with the regulation of such activities were in force in the Crewe and Congleton areas of the Borough as a result of original adoptions made by the predecessor district councils. There were no byelaws in force in the Macclesfield area. The adoption of a set of byelaws in relation to the Borough of Cheshire East as a whole would ensure a consistent approach to regulation across the Borough and would assist in reducing the risk of blood borne disease transmission.

RESOLVED

- (a) That, subject to consultation, the Borough Solicitor, or an officer acting on her behalf, be authorised to submit the draft byelaws attached as an appendix to the report to the Department of Health for provisional approval; and
- (b) That, subject to provisional approval being received from the Department of Health, the following resolutions be recommended to Council:
 - 1. That the byelaws relating to the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis attached as an appendix to the report be approved and authorisation be provided for the affixing of the common seal of the Council to the byelaws; and
 - 2. That the Borough Solicitor, or officer acting on her behalf, be authorised to carry out the relevant statutory procedures in relation to the making of the byelaws and to apply to the Secretary of State for confirmation of the byelaws.

19 HACKNEY CARRIAGE TARIFFS

The Committee considered a report regarding the potential harmonisation of the 'table of fares' across the three hackney carriage zones within the Borough.

RESOLVED

- (a) That, subject to consultation, the existing tariffs in the Congleton and Macclesfield hackney carriage zones be harmonised with those of the Crewe and Nantwich zone.
- (b) That the Borough Solicitor, or officer acting on her behalf, be authorised to publish the relevant notices of variation, making provision for any objections to be submitted within the statutory consultation period of fourteen days; and
- (c) That, if no objections are received within the statutory consultation period in response to the notices of variation published in accordance with (b) above (or if any such objections which are received are withdrawn), the relevant tables of fares will come into operation in the relevant zones on the date of the expiration of the consultation period (or, if later, on the date that the last objection, if any, is withdrawn). If objections are received and not withdrawn they will be reported to a subsequent meeting of the Licensing Committee for consideration.

20 **PRIVATE HIRE VEHICLE CONDITIONS AND VEHICLE TEST GUIDELINES**

The Committee considered a report regarding consultation responses received in relation to the proposed amendment of condition 2.7 of the Private Hire Vehicle Conditions and the accompanying vehicle test guidelines.

RESOLVED

- (a) That the existing condition 2.7 of the private hire vehicle conditions be deleted and replaced with: "All glazing shall comply with the Road Vehicles (Construction and Use) Regulation 1986 (as amended)"
- (b) That the draft Private Hire Vehicle test guidelines be approved, subject to the following amendments:
 - That Point 16 be amended to read as follows:

Condition of spare tyre: Must meet the MOT requirements.

Space saver tyres: Slim/space saver type must be to manufacturer specification;

Tyre inflation devices: Spare tyre may be replaced by an approved specified inflation system.
 - That Point 19 be amended to clarify that tools such as the jack and wheel brace would not be required for vehicles not fitted with a spare wheel.

- That Point 25 be amended to clarify that 'patch' repairs are unacceptable but welding repairs of whole new panels to manufacturer's specification are acceptable.
- That Point 43 be amended to state that tyre tread must comply with MOT requirements.
- That the requirement in Point B2 to produce an LPG certificate be removed from the test guidelines and added to the application procedure.

21 HACKNEY CARRIAGE VEHICLE CONDITIONS

The Committee considered a report regarding consultation responses received in relation to a proposed set of hackney carriage vehicle conditions and vehicle test guidelines to apply in each of the three hackney carriage zones.

RESOLVED

- (a) That the draft hackney carriage vehicle conditions attached as Appendix A to the report be approved, subject to the following amendment:
 - That Condition 1.3 be deleted and replaced with the existing equivalent condition in each hackney carriage zone.
- (b) That further consultation be undertaken in relation to the proposed requirement for all vehicles presented for a new hackney carriage vehicle licence to be purpose-built wheelchair accessible vehicles.
- (c) That the draft hackney carriage vehicle test guidelines be approved, subject to the following amendments:
 - That Point 17 be amended to read as follows:

Condition of spare tyre: Must meet the MOT requirements.

Space saver tyres: Slim/space saver type must be to manufacturer specification;

Tyre inflation devices: Spare tyre may be replaced by an approved specified inflation system.
 - That Point 20 be amended to clarify that tools such as the jack and wheel brace would not be required for vehicles not fitted with a spare wheel.

- That Point 26 be amended to clarify that 'patch' repairs are unacceptable but welding repairs of whole new panels to manufacturer's specification are acceptable.
- That Point 44 be amended to state that tyre tread must comply with MOT requirements.
- That the requirement in Point B2 to produce an LPG certificate be removed from the test guidelines and added to the application procedure.

The meeting commenced at 2.00 pm and concluded at 3.35 pm

Councillor P Whiteley (Chairman)