

**BOROUGH OF BARROW-IN-FURNESS**  
**LICENSING REGULATORY COMMITTEE**

Meeting, Thursday 9th November, 2017  
at 2.00 p.m. (Drawing Room)

**A G E N D A**

**PART ONE**

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.
3. Admission of Public and Press  
  
To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.
4. Declarations of Interest.  
  
To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.  
  
Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).  
  
Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.
5. Apologies for Absence/Attendance of Substitute Members.
6. To confirm the Minutes of the meeting held on 5th October, 2017 (copy attached).

**FOR DECISION**

- (D) 7. Application for Street Trading Consent – Mr Adam Plevin, Furness Food Bar (Pages 1-4).

- (D) 8. Application for Street Trading Consent – Taylor’s Amusements (Pages 5-8)
- (D) 9. Approval Requested for Temporary Christmas Themed Exterior Decorations to be Applied to a Hackney Carriage (Pages 9-12)

**NOTE (D) - Delegated  
(R) - For Referral to Council**

**Membership of Committee**

Councillors Callister (Chairman)  
Seward (Vice-Chairman)  
Biggins  
Barlow  
Cassells  
Derbyshire  
Gill  
Heath  
W. McClure  
Proffitt  
L. Roberts  
Wall

**For queries regarding this agenda, please contact:**

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Published: 1st November, 2017

**BOROUGH OF BARROW-IN-FURNESS**  
**LICENSING REGULATORY COMMITTEE**

Meeting: Thursday 5th October, 2017  
at 2.00 p.m. (Drawing Room)

PRESENT:- Councillors Callister (Chairman), Barlow, Cassells, Derbyshire, L. Roberts (for Minute No. 23 to 28) and Wall.

Officers Present

Barrow Borough Council - Anne Chapman (Environmental Health Manager), Graham Barker (Principal Environmental Protection and Licensing Officer), Steve Solsby (Assistant Director - Regeneration and Built Environment), Tracy Howard (Consultant Environmental Health Officer), Jane Holden (Acting Principal Legal Officer), Sharron Rushton (Democratic Services Officer) and Sandra Kemsley (Democratic Services Officer).

Others

Paul O'Donnell (Local Authority Retained Solicitor)  
Dr Matthew Brash (Retained Veterinary Consultant - DEFRA Inspector)

Cumbria Zoo Co Ltd Representatives

Andreas Kaufmann (Animal Director)  
Stewart Lambert (Director)

**23 – The Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985 and Access to Information (Variation) Order 2006**

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 (Appendix Only of Minute No. 27) of Part One of Schedule 12A of the said Act.

**24 – Apologies for Absence**

Apologies for absence were received from Councillors Biggins, Proffitt and Seward.

**25 – Minutes**

The Minutes of the meeting held on 7th September, 2017 were taken as read and confirmed.

## **26 – Zoo Licensing Act 1981 (as amended)** **Zoo Licence – Cumbria Zoo Company Limited**

The Principal Environmental Protection and Licensing Officer reported that Cumbria Zoo Company Limited held a Zoo licence issued on 11th May, 2017 to operate a Zoo at premises known as South Lakes Safari Zoo (“the Zoo”), Melton Terrace, Lindal-in-Furness, Cumbria, LA12 0LU. This was an original Zoo licence and therefore it would last for a period of four years.

Ordinarily, a new Zoo licence was subject to a periodical inspection, pursuant to Section 10(3)(a), of the Zoo Licensing Act 1981 (as amended) (hereafter called ‘the Act’), during the first year and not later than six months before the end of the fourth year of the period of the licence. However, Section 12(1) allowed for an informal inspection to be carried out once in any calendar year but only where no other inspection type was due or anticipated i.e. periodical (Section 10) or special inspection (ss.11 and 11A). The periodical inspection would take place before 11th May, 2018 and there was no planned special inspection.

Officers had conducted an un-announced informal inspection under Section 12(1) to check compliance with licence conditions on Thursday 3rd August, 2017.

The Inspection Team consisted of:-

- a) Dr Matthew Brash B.Vet.Med Cert Zoo Med MRCVS (the Council’s Professional Veterinary Advisor and appointed Inspector under Section 12(2));
- b) Anne Chapman (Environmental Health Manager); and
- c) Graham Barker (Principal Environmental Protection & Licensing Officer).

Dr Brash has produced a report following the informal inspection and this was attached as an appendix to the report.

The aim of the inspection was primarily to determine whether Condition 15 on the licence had been complied with, as it had a compliance date 31st July, 2017. However the inspection team also wished to:-

1. Inspect the Tambopata aviary;
2. Observe a public Lemur feeding session;
3. Meet with the new Animal Director to discuss the Zoos general progress;
4. Receive an update on the Zoo education department; and
5. Briefly walk around parts of the Zoo to ensure the Zoo appeared compliant with SSSMZP.

Cumbria Zoo Company Ltd representatives had been invited to attend today’s Committee meeting to put forward the Zoo’s representations. A copy of their written response to the Inspection report was received on 29th August, 2017 and was attached as an appendix to the report.

During the course of the meeting at relevant points all parties with the exception of Committee Members, Paul O'Donnell (Solicitor), Jane Holden (Acting Principal Legal Officer), Steve Solsby (Assistant Director – Regeneration and Built Environment), Sharron Rushton (Democratic Services Officer) and Sandra Kemsley (Democratic Services Officer) withdrew and were readmitted to the meeting following the Committee's deliberations.

## 27 – Compliance with Condition 15

For Members information Condition 15 was reproduced in the report as follows:-

### 15. Management and Staffing Structure

- a) *To ensure continued compliance with Section 1A of the Act and Section 10 of the SSSMZP, the licence holder must ensure an Animal Director (or equivalent) is employed on a permanent and full-time basis;*
- b) *The Animal Director (or equivalent) must have the ability to make decisions independent of the registered land owner; and*
- c) *The Animal Director (or equivalent) must have overall senior responsibility for all aspects of the Zoo relating to the animal collection, including but not limited to:-*
  - *Animal Welfare and Veterinary Care;*
  - *Husbandry;*
  - *Breeding;*
  - *Accommodation (including design);*
  - *Dangerous Animal Security;*
  - *Conservation Programmes;*
  - *Research;*
  - *Collection Planning; and*
  - *Inter-Zoo Liaison.*

*[TIMESCALE:- For the initial appointment of the Animal Director (or equivalent) - 31st July, 2017 (evidence to be provided to the Licensing Authority) and thereafter ongoing.]*

As Members would be aware, at the Licensing Regulatory Committee meeting on 9th May, 2017, Mr Andreas Kaufmann informed the Committee that he would be taking up the position of Animal Director at the Zoo in July 2017. CZCL made this appointment to achieve compliance with this condition.

During the August Informal Inspection Officers noted during interviews with CZCL's CEO, Karen Brewer, and Andreas Kaufmann that Mr Kaufmann's contract and job description were still under negotiation despite a compliance deadline of 31st July, 2017.

Dr Matthew Brash, in the summary of his report stated:-

*“Although an Animal Director is in place, at the time of the inspection it was apparent that his precise role and his delegated level of authority from the CEO and the Board to manage the Zoo was still unclear. It was apparent that the new Animal Director did not have full operational control of the Zoo, and as such Condition 15 was not fully complied with on the day of the inspection.”*

*“This needed urgently resolving with the production of a written job description and a signed contract of employment, and these documents were supplied to the Local Authority the following day.”*

*“In the Inspectors opinion Condition 15 had now been complied with. However it was still early days, and time was needed for the Animal Director to implement changes. It was important to note that the contract had a six month trial period, and as such he recommended that this condition was considered complied with, but remained on the licence, and was reviewed at the next interim inspection.”*

Dr Brash also noted that despite only being in post for a brief period of time (from 21st July, 2017) Mr Kaufmann had made significant progress in a number of areas including:-

- A staffing structure was being developed that divided the Zoo into three zones, with three Section Heads.*
- Improvements had made to the Leopard Tortoise enclosure, with improved U/V light, focus heat spots etc.*
- An animal collection plan was being developed. This recognised that in some areas (especially the Tambopata aviary) of the Zoo was still overstocked and more animals needed to depart.*
- A Zoo development plan was being created.*
- The Senior Keepers had attended a Keeper Training Course with Andreas Kaufmann at Chester Zoo.”*

Andreas Kaufmann responded to the Inspector’s report on behalf of CZCL and stated:-

*“I am fully in charge of all animal related operations and everything has settled in smoothly. The new structure is almost complete and will be implemented in September. We have accomplished some more improvements and are moving forward as I write this email to you. All Senior Keepers are performing their jobs and duties well and an Animal Manager has been put to work who will work closely with me and act on my behalf during the times I am abroad. Actually I will be able to spend more time in the Zoo than I had originally anticipated.”*

The Reporting Officer was aware that Mr Kaufmann had pre-existing, national, European and International commitments, during which time he was not on-site at the Zoo. During these periods, he had prearranged for an Animal Manager to deputise for him. Mr Kaufmann was available to be contacted by phone and email, during these times.

Members were informed that Mr Kaufmann's Contract was conditional; the position was subject to a 6 month probationary period. A copy of the Animal Directors' Job Description was attached to the report for information. Furthermore, a copy of Mr Kaufmann's Contract was attached as a Part II appendix to the report.

It was moved by Councillor Derbyshire and duly seconded that the Officer's recommendation be agreed having been reassured by Dr Brash that the requirements of Condition 15 were currently being complied with. This was a permanent condition on Cumbria Zoo Company Limited's licence.

RESOLVED:- To agree to accept the Officer recommendation having been reassured by Dr Brash that the requirements of Condition 15 were currently being complied with. This was a permanent condition on Cumbria Zoo Company Limited's licence.

## **28 – Compliance with Condition 14**

For Members' information Condition 14 was reproduced in the report as follows:-

### *14. Review of Animal Bites*

- a) In accordance with Appendix 6 paragraph 6.14 of the SSSMZP, a suitable and effective action plan that, as far as reasonably practicable, eliminates bites and injuries must be put in place. The action plan must be implemented fully, its effectiveness monitored and be reviewed annually.*
- b) In accordance with 8.14 of the SSSMZP, all contact injuries to visitors from animals must be reported to the Local Authority within 14 days.*

Dr Matthew Brash, in his report stated:-

*“Lemur feeding, by the public, has historically been of concern. The large number of lemurs and people involved in these public feeding sessions has the potential for members of the public to come into close contact with these primates and the potential for them to be bitten. As a result there is a standing condition on the Zoo's licence requiring the Zoo to ensure that animal bites are eliminated as far as is reasonably practical.*

*The Zoo has amended the lemur feeding process to try to meet this condition by increasing the number of feeding sessions to two a day, and decreasing the number of lemurs held in the WWS. The Inspectors observed the one o'clock feeding session.*

*Approximately 50 members of the public were in attendance, and five keepers. The Inspector noted:*

1. *The keepers do a good job instructing the public about safety and requesting that the public stay approximately one metre back from the rail;*
2. *The talk is educational, and informative; and*
3. *The public obviously hugely enjoy the experience.*

*However there is still considerable contact between lemurs and the public. In particular:-*

1. *One lemur climbing onto a pram, which had to be moved off by two keepers;*
2. *A lemur jumped onto a member of the public when it was being chased by another lemur; and*
3. *A lemur grabbed the hand of a member of the public when trying to get hold of a grape. In doing so it partially removed the glove from the member of public which would allow direct contact with skin.*

*In the Inspector's opinion, although the keepers did a good job in trying to control the primates and the public, this is still a situation where there is a reasonable chance that people will get bitten. In the Inspectors opinion the changes already made to the feeding experience, do not suitably prevent the likelihood of a bite occurring.*

*To comply with Condition 14 part a) on the Zoo's licence (review of animal bites), it is therefore important that the new Animal Director modifies this experience to ensure that it is carried out in a more controlled manner, to ensure public and animal safety are paramount. The problem was discussed with Andreas Kaufmann, who agrees that this area is a potential problem and he assured the Inspector that he plans to put in place changes to ensure that a good public experience is carried out in a more structured safe manner.*

*Karen Brewer informed the Inspection Team that to comply with part b) of the same condition, she would be reporting recent contact that occurred between a member of the public and a squirrel monkey.*

*In addition to the above, the Inspectors were told by the RSPCA Inspector visiting on the same day that he had witnessed some squirrel monkeys in the WWS jumping on people. Andreas Kaufmann confirmed that he would also address this issue."*

Andreas Kaufmann on behalf of CZCL had stated within their response to the inspection report:-

*"Some changes have already been put in place regarding interactions between animals and the public. Squirrel monkeys are no longer in public contact areas. Some changes have already been made to lemur feedings, e.g. less attractive food items, and organisational and constructional ones are on the way. However, we are aiming to replace the current lemur interactions with more attractive experiences involving zero risk."*



Mr Kaufmann provided further information in an email dated 13th September, 2017 on the changes already made to the lemur feeding along with future planned changes in the mid to long term, stating:-

*“Already changed:*

- *changed treat to lesser attractive apple and pear bits*
- *animals get fed multiple times a day and are not hungry anymore at public feedings*

*Mid-term:*

- *redesign interaction area*
- *have smaller groups of people at feedings*
- *have more locations for public feeding*
- *people will have to queue to feed lemurs*
- *interaction with lemurs will be reduced to max 3(4) people simultaneously*

*Long-term:*

- *replace feeding interaction with public educational presentation”*

On 9th May, 2017 Officers reported the following information to this Committee on the progress and actions taken by CZCL:-

- The lemurs were no longer free-ranging over the Zoo and were contained within the World Wide Safari Area;
- Planned positive changes to the way public lemur feeds were carried out;
- The Zoo had implemented the action plan.

With reference to compliance with part b) of the condition, the Zoo had recently reported seven animal contact notifications to the Council, within the prescribed 14 day notification period. The notifications were all in August 2017. Six out of seven related to contact with squirrel monkeys, the seventh was linked to a lemur. These all took place within the World Wide Safari (WWS). This was the only area within the Zoo where lemurs and squirrel monkeys were free roaming.

Council Officers had been informed that following each notification, the Zoo reviewed the incident with staff members to identify areas for improvement. With regard to the WWS a number of lemurs had now been placed on the surplus list and the squirrel monkeys were no longer free roaming so they did not have access to members of the public.

It was moved by Councillor Cassells and duly seconded that the Committee agreed to accept the Officer recommendation that Condition 14 was being complied with but the Committee would need a timescale off Mr Andreas Kaufmann on the implementation of the medium and long-term actions already planned.

RESOLVED:- To agree to accept the Officer recommendation that Condition 14 was being complied with but the Committee would need a timescale within two weeks from Mr Andreas Kaufmann on the implementation of the medium and long-term actions already planned.

## **29 – Further Observations from the Informal Inspection**

Dr Brash noted the following observations during the inspection:-

*“A brief walk round of the Tambopara aviary, part of the WWS and the old monkey house, was undertaken by the Inspection team. The Zoo appeared tidy, and most animals appeared in good health. There were a number of minor concerns.*

- 1. An aged male Nyala, that was now completely blind had been separated off from the herd, and was now kept on his own. He had developed a stereotypic behaviour. The Inspection team were informed that the Nyala had deteriorated more markedly over the previous two weeks, and that an Ethics Committee had been called to decide his future. The Inspection Team were informed that the following day the animal was euthanised.*
- 2. A kangaroo was observed with an excoriated area of skin over the left pouch. The Veterinary Nurse was called and treatment instigated.*
- 3. It was noted that the prairie dogs have extended their territory and are now building holes adjacent to the fence beside David Gill’s house.*
- 4. There is still evidence of rodents adjacent to the Meerkat enclosure.*
- 5. The Education Centre continues to be developed. An Education Officer has joined the staff, and she briefly showed the Inspection team around the Education Department. Education packages are in development to ensure that the school curriculum needs are met.”*

Mr Kaufmann had confirmed to Council Officers that the kangaroo’s pouch was fully healed and that an increased rodent control programme with new forms of traps was underway.

Dr Brash also commented on Balai Approval and Veterinary cover as follows:-

### *“BALAI status*

*The Zoo has recently lost its BALAI status. The reasons for this were discussed and the Inspectors informed that this was because the fence adjacent to Mr David Gill’s house was incomplete at the time of their last BALAI inspection.*

*The Zoo had re-applied for Balai status and had a further meeting with APHA on 22nd August, 2017.*

### Veterinary Cover

*The temporary cover provided by Marie Kubiak MRCVS had now ceased with the appointment of a permanent vet, Karen Archer MRCVS, a member of IZVG. She was making weekly routine visits, and providing emergency cover from home. The Zoo continued to try and develop a relationship with a local veterinary practice. Andrew Greenwood FRCVS made a single monthly visit.*

*Jon Cracknell had ceased to act as a Veterinary Advisor, as his services were no longer required.”*

Mr Kaufmann provided an update on BALAI status, as follows:-

*“In regards to BALAI status an inspection by APHA took place on 22nd August which went very well. As this is a first application for approval under BALAI and the inspection is followed by a bank holiday weekend, the process will take longer than a re-approval. We are very confident and expect BALAI approval no later than next week.*

*A birth control program had been put in place and a surplus list compiled, aiming to successfully reduce the number of animals on site. A number of animals will be moved to other Zoos once we have received BALAI approval.”*

*Following a request from the Reporting Officer, Mr Kaufmann emailed the following additional information regarding the BALAI approval on 25th September 2017:-*

*“we are currently not BALAI approved. As our peacocks tested positive for Chlamydophila, we are currently awaiting APHA’s answer whether they will suspend all of it or just grant it for mammals until our peacocks have been treated successfully.”*

Members were reminded of the Directive Condition 4 on CZCL’s licence that stated:-

*The Operator of the Zoo must ensure that the following measures are implemented in the Zoo:-*

- 4. Introduce practical measures designed to prevent the intrusion of pests and vermin into the premises of the Zoo.*

There were no sightings of rodents during the inspection on 3rd August 2017, although there was evidence of rodents adjacent to the Meerkat enclosure. CZCL had carried out remedial work to the Primate house, earlier this year and continued to trap and bait accordingly. Mr Kaufmann had introduced new traps and baiting continued on planned based throughout the site.

It was moved by Councillor Barlow and duly seconded that the Officer’s recommendation be agreed.

RESOLVED:- To agree to accept the Officer recommendation and note the information and work done in compliance with Directive Condition 4.

### **30 – Lease Arrangements & Financial Statement**

Members were made aware from the Committee report dated 9th May, 2017 that CZCL had leased the land on which the Zoo stands from the landowners (Mr David Gill and SLSZ). A summary of the details were:-

From the (12th January 2017), CZCL had entered into:

- a) Two identical six month leases with Mr Gill and SLSZ for their respective parts of the Zoo;
- b) A service agreement controlling the extent of their operation of the Zoo; and
- c) Two loan agreements for animal collections in the private ownership of Mr Gill and SLSZ.

It was originally planned that once a licence was granted to CZCL, Mr Gill and SLSZ would enter into two 8 year leases with CZCL for their respective parts of the Zoo.

The commitment to the 8 year lease was deferred to ensure Stamp Duty Land Tax on the leases would not be paid in the event that CZCL were not granted a licence.

During the informal inspection on 3rd August, 2017, Officers were advised that the initial 6 month leases had been extended to 23rd January, 2018, as a result the 8 year leases had not commenced. The reason behind this extension was that more time was needed to make the necessary arrangements that would enable CZCL to buy the land from Mr Gill and SLSZ, thus ending the need to enter into any further lease agreements.

It was the Councils view that the term of the existing lease had not been extended to the 23rd January, 2018. The documents supplied attempted to extend the Long Stop Date in the Agreements for Lease dated 23rd January, 2017 to 23rd January 2018.

The short leases for nil rent entered into on 23rd January, 2017 ended on 30th June, 2017. CZCL were presently holding over on the back of those leases having failed to execute the intended long lease for 8 years on or before the agreed Long Stop Date of 30th May, 2017. Paragraph 2.5 of the Agreements for lease stated that if the new long lease was not exercised by 30th May, 2017, then either party could cancel the Agreements for Lease and bring the legal relationship to an end. The Deeds of Variation had extended the period during which neither party could pull out of the Agreements for a new long lease to 23rd January, 2018. The Deed wrongly referred to extending the Completion Date when it should have referred to the defined term Long Stop Date.

Cumbria Zoo Company Limited had supplied the following financial summary as of 19th September, 2017:

*“Overall company strategy for 2017 was to encourage return visitation to rebuild support and reinforce the message “we are open come and see for yourself”.*

*“Following press coverage school bookings were cancelled right across the board. A previously half full calendar for April - July ended up completely cancelled. Since the appointment of an Education Officer in June, tasked with the role of engaging with schools, school bookings started to return. Lyndsay has done a tremendous job working internally and externally with local schools delivering in school and in Zoo workshops. 1952 school children physically visited in the latter weeks of term, and bookings since the return to school are looking positive. A similar cancellation story with coach operators with all visits cancelled, a marketing campaign resulted in 2158 visitors on organised coach operator’s trips in August”.*

*“A number of new initiatives were put in place prior to the summer holidays aimed at redefining Safari Zoo including a new website; phase 1 of a social and digital media campaign the results of which were fantastically encouraging and will determine phase 2 and phase 3 of the “rebrand / marketing strategy”. The result of which saw Summer visitor figures ending just slightly ahead of last years and although visitor total spend was, because of the pricing strategy, reduced in comparison good average spends were seen across the board with animal feedings, experiences and of course retail spends being increased and overall income: expenses were on target”.*

*“The current financial position sees no outstanding bills as of 1st September. The MBO agreement has an extended agreement date of 23rd January, since June CZCL have been paying the equivalent monthly purchase figure as a deposit into the solicitors account, and the company has a small amount in the bank with a strategy of events and programme to encourage visitor retention over the winter months.”*

RESOLVED:- To note the information.

The meeting closed at 4.10 p.m.

<b>LICENSING REGULATORY COMMITTEE</b>		<b>Part One</b> <b>(D)</b> <b>Agenda</b> <b>Item</b> <b>7</b>
<b>Date of Meeting:</b>	<b>9<sup>th</sup> November 2017</b>	
<b>Reporting Officer:</b>	<b>Senior Licensing Officer</b>	
<p><b>Title:     <b>Application for Street Trading Consent – Mr Adam Plevin, Furness Food Bar</b></b></p> <p><b>Summary:</b></p> <p>The Licensing Authority has received an application for a Street Trading Consent for a stationary mobile catering unit, to be sited on the highway, on the one-way traffic system along the A590, in Barrow-in-Furness.</p> <p>If Members decide to grant this application they will have to remove a condition on the consent which restricts the time in which Street Traders can remain in a particular area.</p>		

## **1. Purpose of Report**

The Licensing Authority has received an application for a Street Trading Consent from Mr Adam Plevin.

Mr Plevin's application is for a stationary catering van to be sited on the highway, on the one-way traffic system along the A590. Historically, no applications have been received or approved for street trading in this location.

It is Mr Plevin's intention to sell hot food and drinks, confectionary and snacks, Monday to Friday from 06.00am until 2.30pm. Such stationary trading contravenes Condition 12 which is attached to street trading consents:-

*"The Trader must operate his/her business on a mobile basis and can therefore stop for only 10 minutes in any section of a street and thereafter must move into a different street and must not then return to the same section of that street that day."*

Removal of this condition is required if Members decide to grant the consent.

A copy of the application and map showing the area in which Mr Plevin has applied to trade is attached at **Appendix 1**.

## **2. Background**

Barrow Borough Council operates a consent scheme for street trading.

Trading within the Borough is prohibited without obtaining the consent of the Council.

Consents are issued subject to a set of standard conditions and can be granted for a period not exceeding 12 months. Mr Plevin has applied for a 12 month Street Trading Consent.

Consents are renewable on the expiry of the licence period, unless a Trader ceases to exist trading.

Upon application in writing to the Council, as required by Paragraph 7 of Schedule 4 of The Local Government (Miscellaneous Provisions) Act 1982, the Council may grant consent if they think fit, and may attach such conditions to it as they consider reasonably necessary. These conditions are attached to this report at **Appendix 2**.

### **3. Representations**

As part of the application procedure, the Licensing Authority is required to consult with the Local Planning Authority, Trading Standards, Cumbria Constabulary and Cumbria Highways.

The reporting Officer has conducted a site visit of the location in which the applicant wishes to trade, attached at **Appendix 3** are photographs of the site and locality.

For Members' information Mr Plevin has been informed by the reporting Officer that he must not place advertising boards along the A590 or in any roadside location.

The Food Safety team in Environmental Health have been notified of the application and have confirmed to the reporting Officer that Mr Plevin has registered "Furness Food Bar" as a new food business operating in the Borough.

At the time of writing the report no representations have been received from consultees.

Mr Plevin has been invited to attend the Licensing Regulatory Committee to make a representation in support of his application.

### **4. Options**

Options available to Members today are:

- a) Grant the Street Trading Consent and approve the removal of condition 12; or
- b) Reject the application for a Street Trading Consent.
- c) An additional condition to be added to the consent prohibiting Mr Plevin from placing any advertising materials on the public highway.

## 5. Recommendation

It is the Officer's recommendation that members **GRANT** the Street Trading Consent for a period of 12 months, approve the removal of condition number 12 and place an additional condition on the consent prohibiting Mr Plevin from placing any advertising materials on the Highway.

## 6. Reasons for Recommendation

- a) Paragraph 7 of Schedule 4 of the Local Government Miscellaneous Provisions) Act 1982 allows the Council to grant consent if it sees fit to do so. The Council may impose conditions upon the consent.
- b) Paragraph 7(10) allows the Council to grant a consent for a period not exceeding 12 months.
- c) Mr Plevin has applied for street trading consent in a street that is not prohibited.
- d) The consent would not be subject to any planning restrictions, as long as the catering unit was removed from the site at the end of each day.
- e) No representations or objections have been received from any of the consultees.
- f) Advertising materials placed on the public highway are unsightly.

## 7. Considerations

### (i) Legal Implications

The street in question has been designated by the Council as a consent street for street trading purposes under Part III and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

Paragraph 7 of Schedule 4 of the Local Government Miscellaneous Provisions Act 1982 allows the Council to grant consent if it sees fit to do so.

Paragraph 7(4) allows the Council to attach such conditions as they consider reasonably necessary.

Paragraph 7(10) allows the Council to grant a consent for a period not exceeding 12 months.

This application has met the requirements set out in Schedule 4, Local Government (Miscellaneous Provisions) Act 1982.

Other than Judicial Review there is no statutory right of appeal against the Council's decision.



(ii) Risk Assessment

Not applicable

(iii) Financial Implications

Not applicable

(iv) Key Priorities or Corporate Aims

None identified

(v) Equality and Diversity

No equality or diversity issues identified

(vi) Other Human Rights

All applicants for a licence/consent have a right to a fair and public hearing.

(vii) Health and Well-being Implications

None identified

Background Papers

Nil

APPLICATION FOR STATIC STREET TRADING CONSENT

NEW

RENEWAL

Licence number .....

Applicant Name MR ADAM PLEVIN

Trading as FURNESS FOOD BAR

Address .....  
.....  
.....

Email Address .....

Tel. No. .... Date of Birth .....

Vehicle/Trailer Registration No P13EVN

Type of Goods Traded BURGER VAN (TRAILER)

Area of Trading ASFO

Please attach a plan and highlight where you wish to trade along with a photograph of your vehicle

Licence duration requested: 3 months  12 months

Offences: If you have been convicted of any driving or criminal offences please give full details, with dates, below. If answer is none, please indicate. Please include details of any cautions received.

N/A  
.....  
.....

Are there any prosecutions pending against you? YES/NO (please delete accordingly)

If YES, please provide details .....

.....  
.....

Signed: ..... Date: 12/10/17

One consent is issued in respect of one vehicle only.

**Checklist of documents to submit:-**

- Site Plan of trading area
- Photo of Vehicle and/or trailer
- Vehicle insurance
- Minimum £5 million Public Liability Insurance

A FEE IS PAYABLE UPON GRANT OF APPLICATION

**Office Use Only:**

Receipt No		Date to Consultee	Date returned and comments
Fee Paid	Police check	13/10	✓
Date Received 13/10/17	Trading Standards check	13/10	
Officers Initials JC	Highways check	13/10	
£5m Public Liability Insurance seen (JC)	Food Vehicle Inspected		
Site Plan (JC)	Expiry Date	27/10	
Photos of Vehicle/Trailer (JC)	Flare Ref		023472



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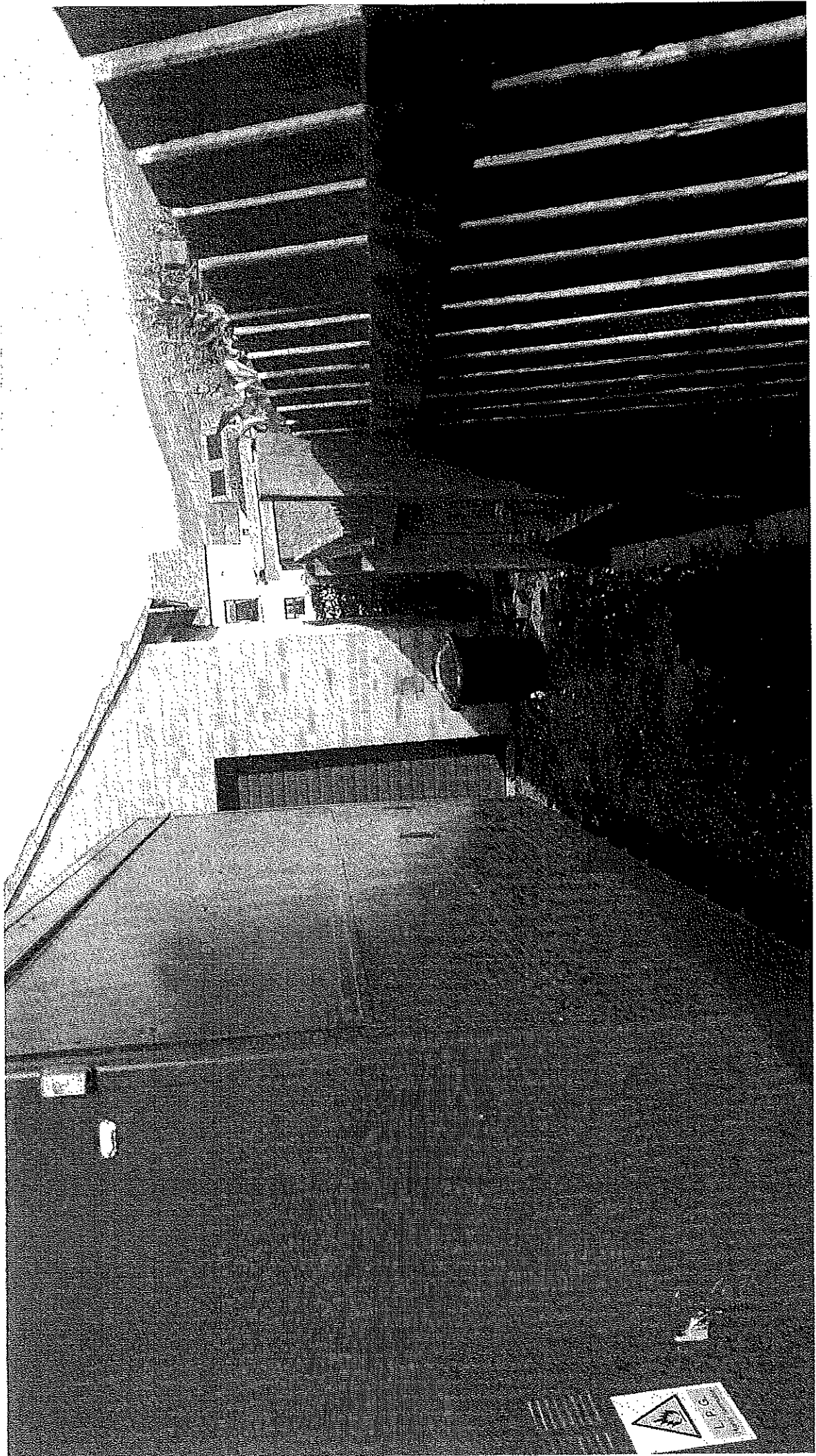
Landmarks

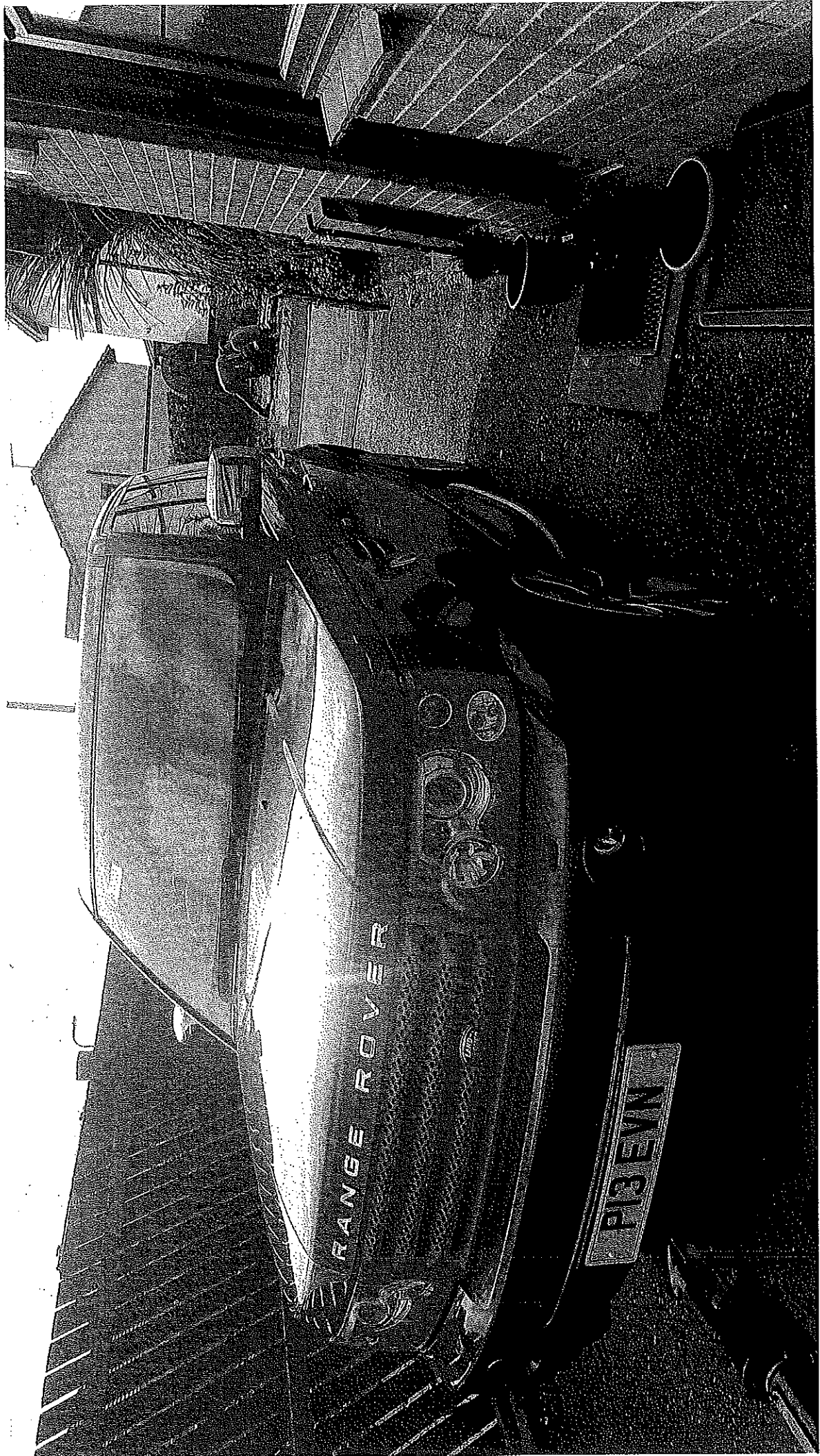
Points of Interest

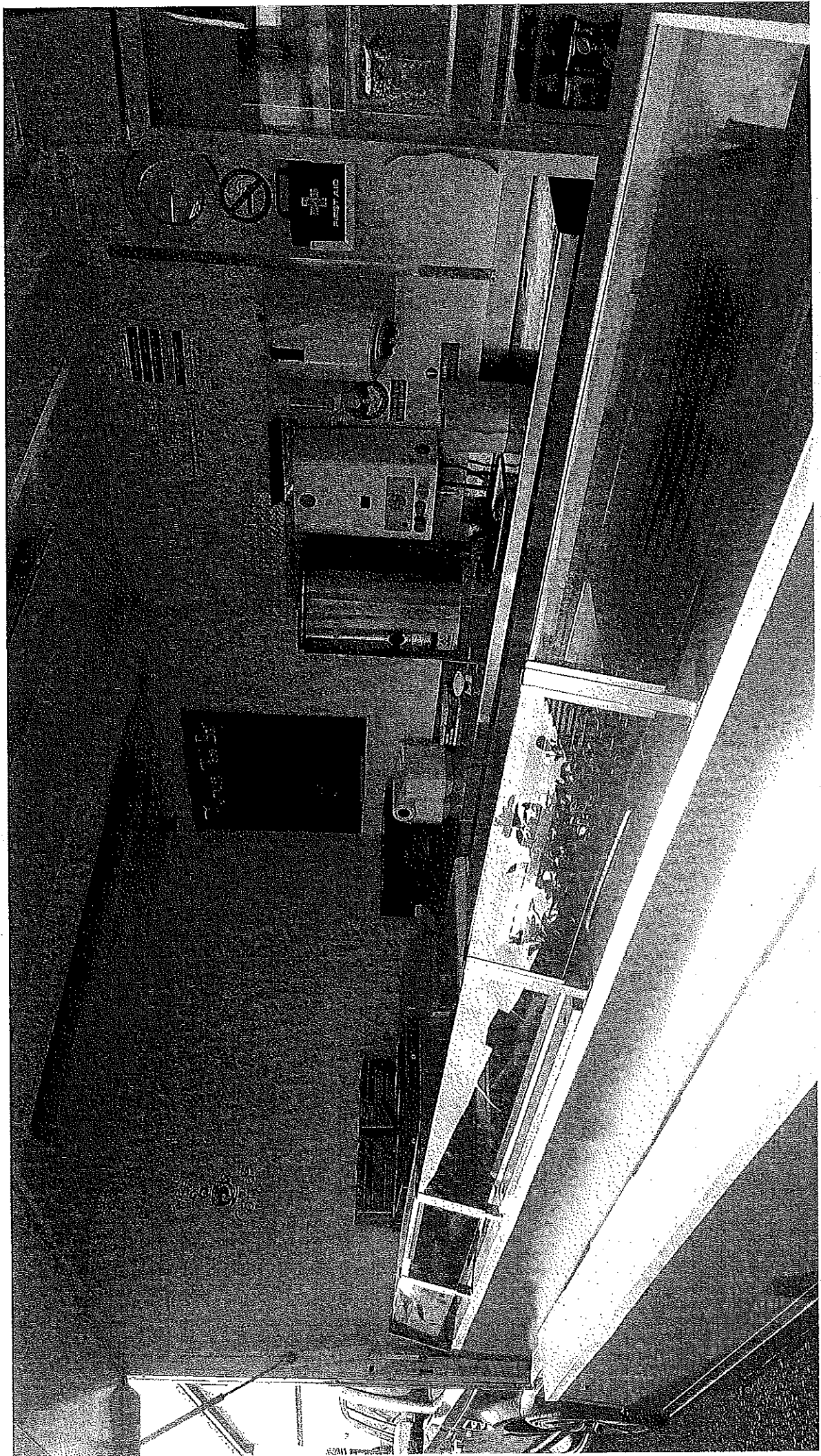
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Explore food & drinks near Barrow-in-Fu...







## CERTIFICATE OF EMPLOYERS' LIABILITY INSURANCE

Where required by Regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998 (the Regulations), one or more copies of this certificate must be displayed at each place of business at which the Insured employs persons covered by the policy. In addition, in accordance with Regulation 4 of the Regulations the Insured must, on expiry, keep this certificate, or a copy thereof, for a period of 40 years from the commencement date of this certificate. (ii)

Policy No:



Name of Insured (i):

Mr Adam Plevin T/As Furness Food Bar

Date of Commencement of Insurance:

01/10/2017

Date of Expiry of Insurance:

30/09/2018

We hereby certify that subject to paragraph 2:

1. the policy to which this certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland or to offshore installations in any waters outside the United Kingdom to which Employers' Liability (Compulsory Insurance) Act 1969 or any amending primary legislation applies.
2. the minimum amount of cover provided by this certificate is no less than £10,000,000



Signed on behalf of the Insurers  
Gary Humphreys  
For Authorised Insurers

- (i) Where the employer is a company to which regulation 3(2) of the Regulations applies, the certificate shall state in a prominent place, either that the policy covers the holding company and all its subsidiaries, or that the policy covers the holding company and all its subsidiaries except any specifically excluded by name, or that the policy covers the holding company and only named subsidiaries
- (ii) Although Regulation 4(4) has now been repealed, businesses should, as a matter of best practice, continue to retain certificates for 40 years after the commencement of cover.

Zenith Insurance plc. Is regulated by the Gibraltar Financial Services Commission and subject to a limited regulation by the Financial Conduct Authority and the Prudential Regulation Authority in respect of underwriting business in the UK (No.211787) 846-848 Europort, Gibraltar. QIC Europe Limited is authorised and regulated by the Malta Financial Services Authority (MFSA) to carry on general insurance business in terms of the Malta Insurance Business Act 1998 and subject to limited regulation by the UK Financial Conduct Authority and the Prudential Regulation Authority in respect of underwriting business in the UK (No.659521) No.7 4<sup>th</sup> Floor, Block C, Skyway Offices, 179 Marina Street, Pieta, PTA 9042, Malta.



Liability Complete – Schedule of Insurance  
Arranged by Mobilers Insurance Services  
A trading name of Insurance Factory Limited  
Haden House, 16 Waterfall Lane Trading Estate, Cradley Heath, B64 6PU

Policy Number [REDACTED]  
Name and Address of Insured Mr Adam Plevin T/As Furness Food Bar  
[REDACTED]  
Period of Insurance 01/10/2017 to 30/09/2018

Limits of Indemnity

Section 1 - Employers Liability £10,000,000 (any one occurrence or series of occurrences arising out of one cause)  
Section 2 - Public Liability £5,000,000 any one accident or series of accidents arising out of one event\*  
Section 3 - Products Liability £5,000,000 (in the aggregate and in any one period of insurance)\*  
Pollution and Contamination £5,000,000 in the aggregate any one period of insurance\*  
*\* Increasing to £10,000,000 where stipulated under contract or regulatory requirement*

Section 2 and 3 combined

Excess (Section 2/3) £250.00 each and every property damage claim  
Declared Occupation Mobile Trailer  
Declared Employees 0-10  
Declared Seating Capacity 0  
Declared Turnover [REDACTED]  
Premium (Inclusive of IPT at current rate) [REDACTED]  
Policy Fee [REDACTED]  
Total [REDACTED]

Underwritten by Zenith Insurance plc. and /or its co-insurers whose names and addresses are available on request.

Zenith Insurance plc. is regulated by the Gibraltar Financial Services Commission and subject to a limited regulation by the Financial Conduct Authority and the Prudential Regulation Authority in respect of underwriting business in the UK (No.211787) 846-848 Europort, Gibraltar. QIC Europe Limited is authorised and regulated by the Malta Financial Services Authority (MFSA) to carry on general insurance business in terms of the Malta Insurance Business Act, 1998 and subject to limited regulation by the UK Financial Conduct Authority and the Prudential Regulation Authority in respect of underwriting business in the UK (No.659521) No.7, 4th Floor, Block C, Skyway Offices, 179 Marina Street, Pietà, PTA 9042, Malta.

Several Liabilities Notice

The obligations of Zenith Insurance plc. and its co-insurers under contracts of insurance to which they subscribe are several and not joint and are limited solely to the extent of each insurer's individual subscription. If one of the insurer does not for any reason satisfy all or part of its obligations the other insurer's will not be responsible for the defaulting insurer's obligations.



Mr A Plevin



## Customer service support

Website: [www.hastingsdirect.com/contactus.html](http://www.hastingsdirect.com/contactus.html)  
Telephone: 0800 035 4801

Opening Hours: Monday-Friday 8:00-21:00  
Saturday 9:00-17:30  
Sunday 10:00-17:00

Date: 12th October 2017

Dear Mr Plevin,

Thank you for choosing Hastings Direct for your car insurance. Your cover starts from 24th March 2017. Inside this pack you'll find all the documents you need including:

- Direct debit guarantee and Consumer credit agreement (important payment information)
- Statement of demands & needs (what you asked to be covered for)
- Key facts (gives you a summary of what you are and are not covered for)
- Schedule of Insurance (showing what we've based your cover on)
- Certificate of car insurance (proof of your insurance)
- Statement of insurance (reflects the information you've given us)
- Policy booklet (includes car terms and conditions and your insurers policy wording)
- Additional products booklet (a guide to the extra products we offer, including any you've opted for)

As you've already paid [REDACTED] we'll take your remaining [REDACTED] on the 20th of each month. So, your next payment will be taken using the details below on 20th October 2017.

Account Name  
Bank Sort Code  
Bank Account Number (last 4 digits)

MR ADAM J PLEVIN

To make things straightforward for you, we'll automatically renew your policy next year and send your renewal information to the email address you have provided. You can read more about this process by referring to your policy booklet.

### Is everything right?

We want to check we've got all the right details for your policy, so please take a look at the documents in this pack to see that everything's correct. If anything needs to change, please tell us straightaway by calling our customer helpline, or by visiting the contact us page on our website.

### We'll be in contact if you're required to provide more information

This could include copies of your licence, V5 documents, proof of your no claims discount or mileage declarations. In some cases this may affect your premium or cover, but at this moment you don't need to take any action.

Thanks again for insuring through Hastings Direct, we're delighted to have you with us.

Yours sincerely



Paul Whyman - Operations Director

Your Ref: [REDACTED]

## Payment Plan

Breakdown of price overleaf

## Your Benefits:

- UK based call centre
- Courtesy car
- 24/7 claims helpline
- Guaranteed repairs for 3 years
- Windscreen cover
- Uninsured driver promise
- Vandalism promise
- 90 days EU cover
- Personal accident

## Optional additions:

- Legal expenses

More about your cover and our fees overleaf

→

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Please note it can take up to 2 hours after purchase before any documentation is available via the Portal.

BARROW-IN-FURNESS BOROUGH COUNCIL  
ENVIRONMENTAL HEALTH DEPARTMENT  
TOWN HALL  
DUKE STREET  
BARROW-IN-FURNESS  
CUMBRIA LA14 2LD

STANDARD CONDITIONS ATTACHED TO THE ISSUE OF A STREET TRADING CONSENT

LICENCE NO: «refno»

1. This consent operates from the dates as shown on the attached Consent.
2. It is personal to (the Trader) and cannot be assigned or sublet.
3. The registration number(s) of the Trader's vehicle(s) is/are as the attached Consent. If the Trader changes any vehicle, or his address, the new registration number or new address shall be endorsed hereon.
4. The Trader's name and address shall be stated clearly on the nearside of the vehicle at the front and the vehicle shall not be used unless this name and address is the correct one for the Trader for the time being.
5. The Trader(s) vehicle(s) shall at all times be available for inspection, and in the case of food businesses the Trader shall at all times comply with the relevant food hygiene legislation currently the Food Safety (General Food Hygiene) Regulations, 1995 and in any event with any legislation affecting the same.
6. If the Trader's vehicle is to be under the control of a person other than the Trader personally, the name and address of such person shall be given to the Council, together with details of the relationship.
7. No Trader or his vehicle shall cause any nuisance and in particular shall not trade in any prohibited street, currently:

All those streets in the Town Centre of Barrow-in-Furness bounded by and including Ramsden Street, The Strand, Hindpool Road, Abbey Road, Duke Street, Hawke Street, Collingwood Street, Dryden Street, Station Approach and the main railway line, together with Thorney Nook Lane, Biggar Bank Road, Beach Crescent, Ocean Road between its junction with Biggar Bank Road and its junction with Carr Lane, Sandy Gap Lane, West Shore Road between Earnse Point and its junction with Cows Tarn Lane, the Coast Road from Rampside Road roundabout to the Borough boundary and Manor Road between its junction with Abbey Approach and its junction with Parkhouse Road.

Also, all the streets on Barrow Island, Rating Lane (from the junction with Abbey Road to the junction with Flass Lane), Manor Road (from the junction with Rating Lane to the junction with Abbey Approach), Croft Park Grove, Croslands Park (from the junction with Rating Lane to the roundabout in Croslands Park, Meadowlands Avenue, Highlands Avenue, Lesh Lane, Rising Side.

**The pedestrianised areas of Dalton Road and Portland Walk are designated as 'Consent Streets' and to trade in these areas it is necessary to obtain a special consent which is granted by the Licensing Committee.**

8. The Trader shall have the responsibility for the collection and removal of litter arising from his activities.
  9. The Council may amend the terms of this consent by seven days' notice in writing to the Trader at the above address. If the Trader wishes, he can terminate this consent at the expiry of such seven days' notice and claim a refund of the unexpired fee.
  10. This consent may be terminated immediately for breach of any of the conditions, and upon any termination (save as in Clause 9) no refund shall be made.
  11. The vehicle(s) shall at all times be in a roadworthy condition.
  12. The Trader must operate his/her business on a mobile basis and can therefore stop for only 10 minutes in any section of a street and thereafter must move into a different street and must not then return to the same section of that street that day.
  13. The trader must not operate his/her business after 8.00 pm each day.
-







<b>LICENSING REGULATORY COMMITTEE</b>		<b>Part One</b> <b>(D)</b> <b>Agenda</b> <b>Item</b> <b>8</b>
<b>Date of Meeting: 9<sup>th</sup> November 2017</b>		
<b>Reporting Officer: Senior Licensing Officer</b>		
<p><b>Title: Application for Street Trading Consent – Taylor’s Amusements</b></p> <p><b>Summary:</b></p> <p>An application has been made to the Licensing Authority for a Street Trading Consent from Taylor’s Amusements for one day of trading on Saturday, 18<sup>th</sup> November 2017.</p> <p>Members’ approval is required for the removal of a condition which restricts the time in which Traders can remain in a particular area.</p>		

**1. Report**

The Council is in receipt of an application from Mr Taylor of Taylors (Cumbria) Amusements for a Street Trading Consent for one day, Saturday, 18<sup>th</sup> November 2017. Taylor’s Amusements would like consent to trade on the approved Preston Street/Dalton Road site, see attached plan (**Appendix 4**).

The application is to site the following attractions;

- 1 x Kiosk, `fun sweets`, selling novelty sweets, candy floss, hot and cold drinks;
- 1 x Kiddies carousel, 14` diameter; and
- 1 x Side stall, fairground prize game.

At the time of writing this report, the Licensing Authority is not in receipt of a copy of the applicants’ £5 million public liability insurance, for the duration of the event.

Condition 12 of the Street Trading Consent standard conditions states:-

*“The Trader must operate his/her business on a mobile basis and can therefore stop for only 10 minutes in any section of a street and thereafter must move into a different street and must not then return to the same section of that street that day.”*

The Environmental Health Manager has delegated powers to approve applications however this delegation does not include the removal of any of the standard conditions. Members’ approval is therefore required to remove condition number 12.



## **2. Representation**

The Licensing Authority consults on all street trading applications with Cumbria Highways and Cumbria Constabulary.

At the time of writing this report, there have been no representations from consultees.

## **3. Relevant Legislation and Council Procedure**

Licensing Authorities have the power to control street trading (such as market stalls, craft fairs, burger vans and ice-cream vans) within their area. Licensing Authorities can resolve to designate streets under schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as;

- A licence street – for formalised street markets, with established stalls on a regular basis.
- A consent street – for occasional street trading.
- A prohibited street – where no trading may take place.
- An undesignated street – street trading may take place without any controls in place.

The streets relevant to this application are Preston Street and Dalton Road. They are designated as consent streets.

Street trading is the offering, exposing or selling of goods for sale (including living things). This means that the remit covers the advertising and offering of items for sale although it is restricted only to goods and not to services.

As a result the kiosk selling hot and cold drinks, sweets and novelty food items is the only item in the application that requires consent under the above mentioned legislation. No licence or consent is required for the provision of the carousel or the fairground prize game.

## **4. Options**

Options available to Members are;

- a) Approve the application for a Street Trading Consent and remove condition 12 from the Street Trading Consent;
- b) Reject the application.

## **5. Recommendation**

I recommend that Members:-

- a) Approve the application for a street trading consent and remove condition 12, subject to the applicant providing the appropriate Public Liability Insurance; and

- b) Delegate to the Environmental Health Manager, the authority to issue the Street Trading Consent, upon receipt of the Public Liability Insurance.

## **6. Reasons for Recommendation**

- a) The application is for Preston Street/Dalton Road, which is a designated consent street.
- b) Paragraph 7 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 allows the Council to grant consent if it sees fit to do so. The Council may impose conditions upon the consent.
- c) No representations have been received from consultees.
- d) It will attract visitors and families to the town centre for the event.

## **7. Considerations**

### **(i) Legal Implications**

The street in question has been designated by the Council as a consent street for street trading purposes under Part III and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

Paragraph 7 of Schedule 4 of the Local Government Miscellaneous Provisions Act 1982 allows the Council to grant consent if it sees fit to do so.

Paragraph 7(4) allows the Council to attach such conditions as they consider reasonably necessary.

Paragraph 7(10) allows the Council to grant a consent for a period not exceeding 12 months.

This application has met the requirements set out in Schedule 4, Local Government (Miscellaneous Provisions) Act 1982.

Other than Judicial Review there is no statutory right of appeal against the Council's decision.

### **(ii) Risk Assessment**

This street trading consent application relates to highways land. The Council has consulted the land owner, Cumbria County Council.

### **(iii) Financial Implications**

The Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 paragraph 9 allows the Local Authority to charge a fee on grant or renewal only.

(iv) Health and Safety Implications

An event risk assessment and £5 million public liability insurance is required before the grant of the consent.

(v) Key Priorities and Corporate Aims

Not applicable

(vi) Equality and Diversity

Not applicable

(vii) Health and Well-being Implications

None identified

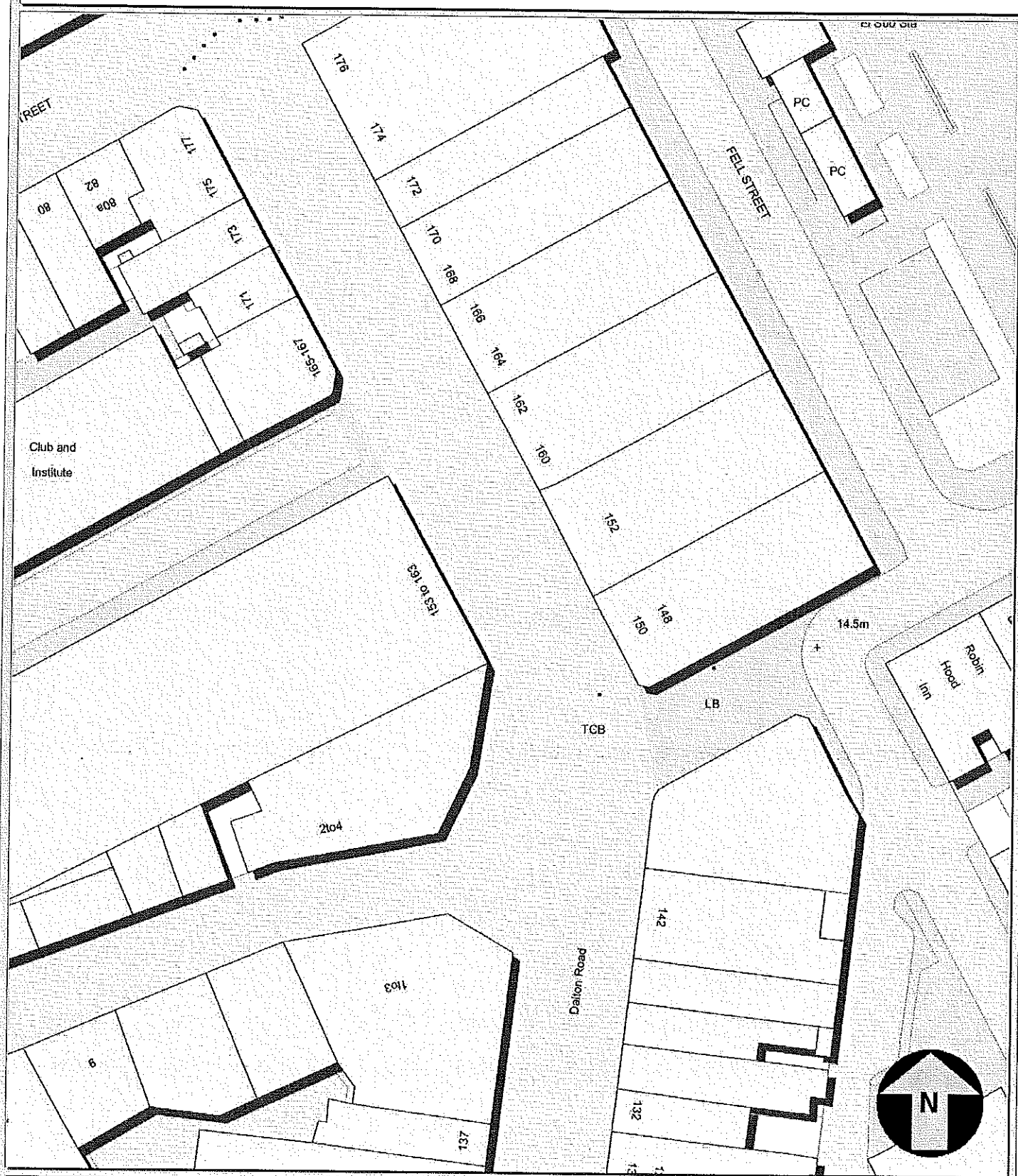
(viii) Human Rights

None identified

Background Papers

Nil

# Taylor's - Site Plan



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Scale 1:500.0

Created 01.11.2017



<b>LICENSING REGULATORY COMMITTEE</b>		<b>Part One (D) Agenda Item 9</b>
<b>Date of Meeting: 9<sup>th</sup> November 2017</b>		
<b>Reporting Officer: Senior Licensing Officer</b>		
<p><b>Title: Approval Requested for Temporary Christmas Themed Exterior Decorations to be Applied to a Hackney Carriage</b></p> <p><b>Summary:</b></p> <p>Approval is sought from a licensed Hackney Carriage proprietor, Mr Brian White who wishes to display Christmas themed temporary artwork/stickers on his licensed Hackney Carriage vehicle.</p> <p>Licence condition (k) attached to all Hackney Carriage vehicle licences does not permit bizarre or psychedelic colour schemes.</p> <p>Licence condition (n) does not allow advertising on the bodywork of the vehicle without first obtaining approval by the Council.</p> <p>Members are therefore required to determine Mr White's request in line with the Council's scheme of delegation.</p>		

## **1. Background**

- 1.1. On Wednesday 20<sup>th</sup> September 2017, the Council received a written request from Mr White, a licensed Hackney Carriage driver and proprietor to display Christmas themed artwork and stickers throughout the Christmas period on his licensed Hackney Carriage vehicle.
- 1.2. Attached at **Appendix 5** is the letter outlining Mr White's request for approval, including a photograph.
- 1.3. The position and layout of the stickers does not hinder Mr White's visibility and therefore does not compromise public safety, it is not necessary to re-position the artwork.
- 1.4. The vehicle will be inspected by the reporting Officer once works are completed to ensure the design is as proposed.

## **2. Relevant legislation and Council procedure**

- 2.1. Section 47 **Local Government Miscellaneous Provisions Act 1976** gives the Local Authority discretionary powers in relation to Hackney Carriage proprietors licences.

### *Licensing of Hackney Carriages.*

*(1) A district council may attach to the grant of a licence of a Hackney Carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.*

*(2) Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a Hackney Carriage.*

*(3) Any person aggrieved by any conditions attached to such a licence may appeal to a magistrates' court.*

The power to attach conditions is extremely wide. There are a wide range of conditions imposed by Local Authorities. They include the appearance of the vehicle, including size, colour and age.

2.2. A copy of Barrow Borough Councils Hackney Carriage vehicle licence conditions are attached at **Appendix 6**.

2.3. The conditions relevant to this application are;

*"All vehicles must comply with the following requirements:-*

*(k) Bizarre or psychedelic painting colour schemes will not be permitted and the interior and exterior of the vehicle shall at all times be kept in good clean and smart condition....*

*(n) Advertising on the bodywork of the vehicle permitted, subject to approval by the Borough Council. No advertising material must be displayed on windows which must be kept free of any visual obstructions".*

Members are therefore required to determine Mr White's proposals.

### **3. Options**

The options available to Members are:

- (a) Approve Mr White's proposals, for an appropriate period of time;
- (b) Reject Mr White's proposals as outlined in his request;
- (c) Amend Mr White's proposed design, should public safety be compromised by the position of the artwork/stickers.

### **4. Recommendation**

I recommend that Licensing Regulatory Committee:

- (a) Approve Mr White's proposals as outlined in his letter of request and submitted photograph, and;
- (b) Allow the stickers/artwork to be displayed on the vehicle from receipt of letter of decision until Friday, January 5<sup>th</sup> 2018.

## 5. Reason for Recommendation

I make this recommendation for the following reasons;

- (a) Section 47 Local Government (Miscellaneous Provisions) Act 1976 gives the Local Authority discretionary powers in relation to Hackney Carriage proprietors licences. The Council may attach to the grant of a licence of a Hackney Carriage under the Act of 1847 such conditions as the district Council may consider reasonably necessary
- (b) It is reasonably necessary to require Hackney Carriage vehicle proprietors to seek approval of the Council before adorning their vehicle with artwork/stickers. This allows Council Officers to keep a record and monitor vehicles operating in the Borough, ensuring public safety is maintained.
- (c) Mr White has sought approval of the Licensing Regulatory Committee in line with the conditions of his Hackney Carriage vehicle Licence.
- (d) The position and layout of the stickers does not hinder Mr White's visibility and therefore does not compromise public safety, it is not necessary to re-position the artwork.
- (e) The vehicle will be inspected by the reporting Officer once works are completed to ensure the design is as outlined in Mr Whites proposals.

## 6. Considerations

### (i) Legal Implications

Section 47 **Local Government (Miscellaneous Provisions) Act 1976** gives the Local Authority discretionary powers in relation to Hackney Carriage proprietors licences.

*Licensing of Hackney Carriages.*

*(1) A district council may attach to the grant of a licence of a Hackney Carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.*

*(2) Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a Hackney Carriage.*

*(3) Any person aggrieved by any conditions attached to such a licence may appeal to a magistrates' court.*

Any requirements imposed that are deemed to be unreasonable could be subject to legal challenge via the judicial review process

(ii) Risk Assessment

Any requirements imposed that are deemed to be unreasonable could be subject to legal challenge via the judicial review process

(iii) Financial Implications

None identified

(iv) Key Priorities or Corporate Aims

Service Delivery – the Council strives to provide good quality, efficient and effective services while reducing overall expenditure.

(v) Equality and Diversity

There are no equality and diversity implications arising from this report. The policy applies equally to all Hackney Carriage vehicle licence holders.

(vi) Other Human Rights

Any action undertaken by the Council, that could have an effect upon another person's human rights, must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole.

Any action taken by the Council which affect others' rights must be no more onerous than is necessary in a democratic society.

The matter set out in this report must be considered in light of those obligations.

(vii) Health and Well-being Implications

Many of the licensing regimes can affect the health and wellbeing of the service user in some way.

Background Papers

Nil



TO THE LICENSING REGULATORY COMMITTEE

HELLO MY NAME IS BRIAN WHITE BADGE N° 988

I AM LOOKING FOR THE COMMITTEE TO PLEASE  
ALLOW ME TO DECORATE MY TAXI WITH  
CHRISTMAS STICKERS OVER THE FESTIVE PERIOD  
ITS NOT FOR FINANCIAL GAIN IN FACT IT  
COST ME A FORTUNE.

IT'S JUST TO MAKE THE ODD PERSON SMILE  
AND MAYBE LIFT SOMEBODYS DAY.

I HOPE YOU WILL ALLOW MY REQUEST AND  
HELP A TAXI DRIVER TO SPREAD A BIT OF  
CHRISTMAS CHEER IN BARROW

THANKS BRIAN

HAPPY CHRISTMAS



DONT BE A BAH HUMBUG 😊 LOL  
PIC INC OF WHAT I WOULD LIKE TO DO  
THANKS FOR LOOKING SORRY ABOUT THE  
SPELLING





**BOROUGH OF  
BARROW IN  
FURNESS**

Barrow Borough Council  
Licensing Section  
Barrow Borough Council  
Town Hall, Duke Street  
Barrow-in-Furness  
Cumbria  
LA14 2LD  
Tel: 01229 876543  
Fax 01229 876411  
Email: [commercial@barrowbc.gov.uk](mailto:commercial@barrowbc.gov.uk)  
[www.barrowbc.gov.uk/licensing](http://www.barrowbc.gov.uk/licensing)

## Hackney Carriage Licence HV219

### Proprietor(s)

Mr Brian White

### Details of Vehicle Licensed

Registration No. **FD60 EFE**

Date first registered 01/08/2011

Manufacturer Toyota

Propulsion

Model Avensis

Engine size cc 0

Colour Black

Licensed for 4 passengers

Date Application Received 20/09/2017

Valid from 20/09/2017

expires

**26/09/2018**

### IMPORTANT NOTES

- **MOT Certificate Exemption:** This vehicle to which this licence relates is exempt from the provisions of Section 44 of the Road Traffic Act 1972 (annual MOT testing of vehicles) by reason of the Council being in possession of a certificate issued by the Secretary of State for Transport pursuant to Regulations 30(m) and 30(n) of the Motor Vehicles (Test) Regulations 1976 as amended.
- This licence is subject to the provisions of the Town Police Clauses Act 1847, the bylaws made thereunder, the Local Government (Miscellaneous Provisions) Act 1976 and the Conditions attached to the licence made under it, the Transport Act 1985 and any other relevant Acts.
- The possession of this document does not guarantee that the licence is in force, nor does it imply that the vehicle is roadworthy or fit for use. Its validity may be established by reference to the Council's Licensing Office.
- This licence is not transferable without the consent of the Council. If the person(s) named above dispose of the vehicle, the Council must be notified in writing within 14 days otherwise an offence may be committed.

Standard Conditions and any Special Conditions attached to this licence are attached or printed on the reverse.

ENVIRONMENTAL HEALTH MANAGER

**PROPRIETOR(S)**

Mr Brian White



**LICENCE NUMBER HV219**

**EXPIRES 26/09/2018**

**CERTIFICATE OF COMPLIANCE**

Road Traffic Act 1988 Section 47 – Motor Vehicle (Tests) Regulations 1981

It is hereby certified that in respect of the licensed Taxi/Private Hire Car

**MAKE Toyota MODEL Avensis COLOUR Black**

**REGISTRATION NUMBER FD60 EFE**

Following examination of the vehicle in the approved manner on the **19/09/2017** Statutory requirements prescribed by regulations made under Section 45 of the Road Traffic Act 1988 were found to have been complied with, and by virtue of Regulation 6 of the Motor Vehicle (Tests) Regulations 1981, the said Licensee is exempt from the requirement to hold a Department of Transport (MOT) Test Certificate for a period of one year from the above date of inspection or for the duration of the current licence whichever is the shorter period. This certificate becomes of no effect in the event of the current Taxi/Private Hire Car Licence expiring or ceasing to be valid for any reason whatsoever.

Date of Issue 20/09/2017

Signed .....  
Environmental Health Manager

Authentication Stamp

Note: This certificate is NOT valid unless accompanied by a current Taxi/Private Hire Car Licence issued by the above Council, and unless stamped and counter signed by the issuing officer.

## HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

1. The Council reserve to themselves the right not to renew this licence if the motor vehicle to which it refers has been transferred to a new proprietor(s) without the consent of the Council to such transfer having first been sought and obtained.
2. The licence plates issued by the Council shall at all times be kept affixed to the vehicle, one to the rear nearside and one to the front nearside in such a position and in such condition as to be readily visible and legible from the outside. The licence plates remain the property of the Council and shall be returned to the Council within seven days of the date of the suspension or revocation of or refusal or failure to renew this licence.
3. A deposit of £12.50 shall be paid to the Council on the issue of the licence plates which deposit shall be refunded upon the plates being returned to the Council in good condition regard being had to fair wear and tear.
4. All vehicles must comply with the following requirements:-
  - (a) In the case of normal saloon type vehicles and hatchback saloons the vehicle must have four or more doors for the boarding and alighting of passengers.
  - (b) It must have a forward mounted engine of a capacity of 1300 cc's or more.
  - (c) It must have a rear boot compartment adequate to contain one large suitcase and small hand luggage for each of the passengers which it is authorised to carry.
  - (d) The front seat positions shall be set so as to ensure adequate leg room for passengers occupying the rear seats.
  - (e) Not more than one passenger shall be accommodated in the front of the vehicle next to the driver and the seat for such passenger shall be an individual seat, not one used in common with the driver.
  - (f) Removed – not applicable for Hackney Carriage Vehicles.
  - (g) The design of the vehicle shall be such that passengers of average height, when occupying the rear seats, shall have adequate headroom.
  - (h) Door apertures must be of adequate size to permit the easy movement of passengers when they are boarding and alighting.
  - (i) Door catches must be at all times be secure and yet capable of operation by passengers.

- (j) Wing mounted driving mirrors on both sides of the vehicle and an interior rear mirror shall be fitted and maintained.
  - (k) Bizarre or psychedelic painting colour schemes will not be permitted and the interior and exterior of the vehicle shall at all times be kept in good clean and smart condition.
  - (l) The track width and suspension characteristics shall be such as to provide good roadholding performance and stability on cornering.
  - (m) It must carry at all times one 1kg Fire Extinguisher of the BCF or dry powder type maintained in good working order and fitted in the driver's compartment of the vehicle and one fully equipped first aid box.
  - (n) Advertising on the bodywork of the vehicle permitted, subject to approval by the Borough Council. No advertising material must be displayed on windows which, must be kept free of any visual obstructions.
5. The vehicle shall at all times be maintained in a good mechanical and roadworthy condition.
  6. The vehicle shall be fitted with a taximeter of a design approved by the Council which taximeter shall at all times be maintained in good working order.
  7. There shall at all times be kept in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1972 which policy of insurance or security shall be produced for inspection at the request of any authorised office of the Council.
  8. This vehicle shall be presented for inspection and testing by or on behalf of the Council at such place as may be specified within 48 hours of notice of such requirement served by the Council provided that such an inspection cannot be required in respect of the same vehicle on more than three occasions in any twelve month period. The current fee for such inspection must be paid on submission of the vehicle.
  9. In addition to any inspections and testing which may be required by condition (8) hereof any authorised officer of the Council or any Constable may inspect and test the vehicle or the taximeter fitted thereto for fitness and if he is not satisfied as to the fitness of the vehicle or as to the accuracy of the taximeter may by notice require the vehicle or the taximeter to be made available for further inspection at such time and place as it specified in that notice. Additionally he **MAY SUSPEND THE LICENCE UNTIL HE IS SO SATISFIED.**

10. The Proprietor shall within seven days of any change of address of the place where a vehicle is kept when not in use notify the Council in writing of the new address and further shall at every address where a vehicle is so kept if so required by the Council afford to them such facilities as may be reasonably necessary to enable them to cause the vehicle to be tested there.
11. The Proprietor shall report to the Council as soon as reasonably practicable and in any case within seventy two hours of the occurrence thereof, any accident to the vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of the persons carried therein.
12. This vehicle shall not be used in the district of the Council under a contract or purported contract for private hire except at a rate of fares or charges not greater than that fixed by the current bye-laws or tables of fares and when the vehicle is so used the fare or charge shall be calculated from the point in the district at which the hirer commences his journey.
13. The Council, may at any time add to, delete or alter any of the foregoing conditions and upon notice thereof having been served upon the licence holder such additions, deletions or alterations shall as from the date of such service be deemed to be incorporated herein.
14. Any notice required to be served by the Council under this licence or under any of the provisions of the Acts shall be deemed to have been properly served if sent by them by prepaid post to or left at the last known address of the holder of the licence.
15. This licence shall continue in force for a period of one year unless previously suspended or revoked pursuant to any provision in the Acts.
16. This vehicle must be registered at the Driver Vehicle Licensing Centre, Swansea, in the name of the person to whom the Hackney Carriage Licence is granted.
17. In this licence 'the Council' means the Barrow-in-Furness Borough Council and 'the Act' mean the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847.
18. In addition to the display of the Council's two licence plates which must be displayed at all times, a hackney carriage shall have a roof sign, illuminated when plying for hire and shall be extinguished once a taxi meter is reset at the commencement of a journey, until such a time as the journey is complete. The roof sign shall display the word "TAXI" and/or "FOR HIRE".
19. The proprietor and/or licensed driver of the vehicle shall, at the request of an authorised officer of the Council, produce for inspection within three working days his/her DVLC driving licence.

20. Radio scanners are prohibited from Hackney Carriages.

21. Seat Belts

- a) All vehicles with not more than two rear seats are fitted with either:-
  - i) a 3 point inertia reel belt for each seat;  
or
  - ii) a 3 point belt, lap belt, disabled person's belt or child restraint for each seat.
  
- b) All vehicles with more than two rear seats are fitted with either:
  - i) a 3 point inertia reel belt on an outboard seat and a static or inertia reel belt, lap belt, disabled person's belt or child restraint for at least one seat; or
  - ii) a static 3 point belt for one seat and a disabled person's belt or child restraint for at least one other seat; or
  - iii) a 3 point belt, lap belt, disabled person's belt or child restraint for each seat or
  - iv) Children, although classed as half fares, must not be allowed to share a seat belt with another minor.

22. A vehicle which has been re-registered by the Driving and Vehicle Licensing Agency with a letter Q pre-fix shall not be licensed as a Hackney Carriage or Private Hire vehicle.



## HACKNEY CARRIAGE BYE-LAWS

Made under Section 68 of the Town Police Clauses Act, 1847 and Section 171 of the Public Health Act, 1875, by the Council of the Borough of Barrow-in-Furness with respect to hackney carriages in the Borough of Barrow-in-Furness.

### INTERPRETATION

1. Throughout these bye-laws "the Council" means the Council of the Borough of Barrow-in-Furness and "the district" means the Borough of Barrow-in-Furness.

### PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE CORRESPONDING WITH THE NUMBER OF ITS LICENCE SHALL BE DISPLAYED.

2. The proprietor of a hackney carriage shall
  - a) cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside respectively of the carriage or on plates affixed thereto.
  - b) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire.
  - c) not cause or permit the vehicle to ply for hire with any such plate so defaced that any figure or material particular is illegible.

### PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED

3. The proprietor of a hackney carriage shall
  - a) provide sufficient means by which any person in the carriage may communicate with the driver.
  - b) cause the roof or covering to be kept water-tight.
  - c) provide any necessary windows and a means of opening and closing not less than one window on each side.
  - d) cause the seats to be properly cushioned or covered.
  - e) cause the floor to be provided with a proper carpet, mat or other suitable covering.
  - f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service.
  - g) provide means for securing luggage if the carriage is so constructed as to carry luggage.
  - h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use.

- i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements that is to say:-
- a) the taximeter shall be fitted with a key flag or other device, the turning of which will bring the machinery of the taximeter into action and use the work "HIRED" to appear on the face of the taximeter.
  - b) such key flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter.
  - c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take in pursuance of the bye-law in that behalf for the hire of the carriage by distance.
  - d) the word "Fare" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon.
  - e) the taximeter shall be so placed that all letter and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage and for the purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
  - f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the sealed or other appliances.

**PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENT AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES.**

5. The driver of a hackney carriage provided with a taximeter shall:-
- a) when standing or plying for hire keep the flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter.

- b) as soon as the carriage is hired by distance and before beginning the journey bring the machinery of the taximeter into action by moving the said key flag or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.
  - c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Transport Lighting Act, 1957, and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided with the fittings thereof or with the seals affixed thereto.
7. The driver of a hackney carriage shall when plying for hire in any street and not actually hired:-
- a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf.
  - b) if a stand at the time of his arrival is occupied by the full number of carriages authorised to occupy it proceed to another stand.
  - c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction.
  - d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall unless delayed or prevented by some sufficient cause punctually attend with such carriage at such appointed time and place.
9. The driver of a hackney carriage when hired to drive to any particular destination shall subject to any directions given by the hirer proceed to that destination by the shortest available route.
10. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall when standing or plying for hire and when hired wear that badge in such a position and manner as to be plainly visible.
11. The driver of a hackney carriage so constructed as to carry luggage shall when requested by any person hiring or seeking to hire the carriage:-

- a) convey a reasonable quantity of luggage.
  - b) afford reasonable assistance in loading and unloading.
  - c) afford reasonable assistance in removing it to or from the entrance or any building station or place at which he may take up or set down such person.
12. A proprietor or driver of a hackney carriage when standing or plying for hire shall not be calling out or otherwise importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
13. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
14. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such a carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
15. a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaws in that behalf to be exhibited inside the carriage in clearly distinguishable letters and figures.
- b) the proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

**PROVISIONS SECURING THE SAFE CUSTODY AND RE-DELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF**

16. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
17. The proprietor or driver of a hackney carriage shall if any property accidentally left therein by any person who may have conveyed in the carriage be found or handed to him.
- a) carry it as soon as possible and in any event within 48 hours if not sooner claimed by or behalf of its owner to the office of the Council and leave it in the custody of the officer in charge of the office on his giving a receipt for it.
  - b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to FIVE PENCE in the pound of its estimated value (or the fare for the distance from

the place of finding to the office of the Council, whichever be the greater) but not more than FIVE POUNDS.

## **PENALTIES**

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding TWENTY POUNDS and in the case of a continuing offence to a further fine not exceeding FIVE POUNDS for each day during which the offence continues after conviction therefore.

## **REPEAL OF BYELAWS**

19. The byelaws relating to hackney carriages which were made by the Council on the 16th day of April, 1951, and which were confirmed by one of the Principal Secretaries of State of His Majesty King George VI on the thirtieth day of April, 1951 are hereby repealed.

The byelaws relating to hackney carriages which were made by the Council on the 20th day of October, 1971, and the 5th day of October, 1973, and which were confirmed by one of Her Majesty's Principal Secretaries of State on the 23rd day of December, 1971, and the 21st day of December, 1973, respectively, are hereby repealed.

THE COMMON SEAL OF THE COUNCIL OF  
THE BOROUGH OF BARROW-IN-FURNESS  
was hereunto affixed this 17th day  
of October, 1974, in the presence of

F CHRISTIE, Mayor

J T BURDEKIN, Deputy Clerk and Chief Executive

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the 25th day of November, 1974.

N P WITNEY  
An Assistant Under Secretary of State

Home Office  
Whitehall  
22nd November, 1974

## MULTI PURPOSE VEHICLES AND MINIBUSES

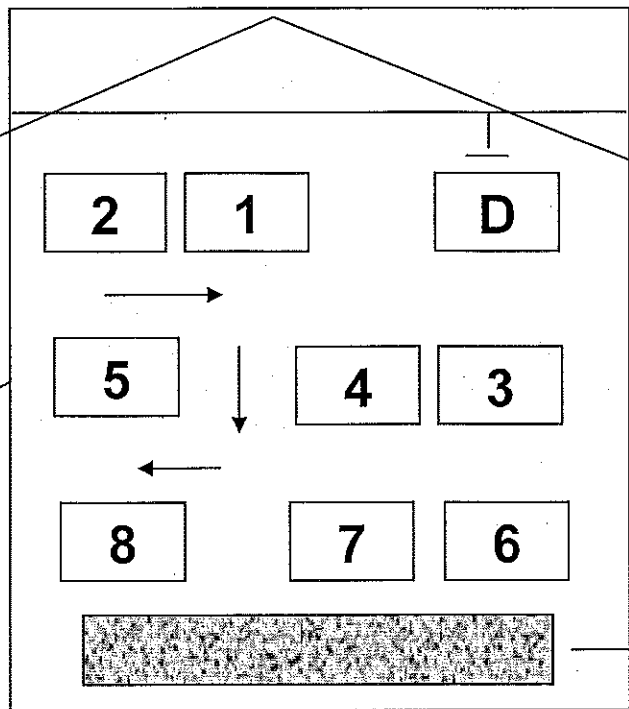
1. In no circumstances will any vehicle be licensed which would require any passenger to move any seat to enter or egress from any seat they may occupy or that would require them to climb over any seats or luggage in the vehicle.  
This condition may be relaxed subject to approval by the Environmental Health Manager, where the vehicles concerned are purpose built vehicles. Applications for relaxation must be made in writing.
2. Any luggage must be separated from the passengers in a safe manner and not obstruct passageway or exit doors. All passenger seats must face forward or rearwards in relation to the direction of travel.
3. The vehicle shall have sufficient luggage space/capacity without the need for passengers to hold luggage within the cabin part of the vehicle, allowing only one piece of hand luggage to be carried within the vehicle.
4. In the case of minibuses or conversions where a double front passenger seat is fitted, this may be used to carry 2 passengers subject to approval by the Council.

## TRAILERS

5. No licensed vehicle may tow any trailer unless evidence of valid insurance to cover such use for hire and reward has been produced to the Authorised Officer. The vehicle licence plate giving the licence number must be clearly displayed on the rear of any trailer used, this sign being in addition to that on the rear of the vehicle. The contents of such trailer must be secured and covered in a proper manner. Any trailer used must comply with regulations in all aspects and where required the driver must hold the appropriate towing licence as issued by the D.V.L.A.
6. If a trailer is used this must be tested and deemed suitable for use. The trailer must be covered and have sufficient luggage capacity. No luggage will be carried on the cover of that trailer either by the fitting of a roof rack or similar.
7. Any luggage carried in a trailer must be protected against wind and rain penetration and be secured in a manner that guarantees the luggage's safety.
8. The trailer is to have an approved means of attachment to the vehicle. The trailer must have been manufactured by an approved trailer maker and be marked with their name, address and gross weight and be braked, where deemed necessary by the Licensing Authority.

ACCEPTED SEATING ARRANGEMENTS FOR MINIBUSES AND MULTI PURPOSE VEHICLES. FOR OTHER VARIATIONS CONTACT THE LICENSING SECTION OF THE COUNCIL.

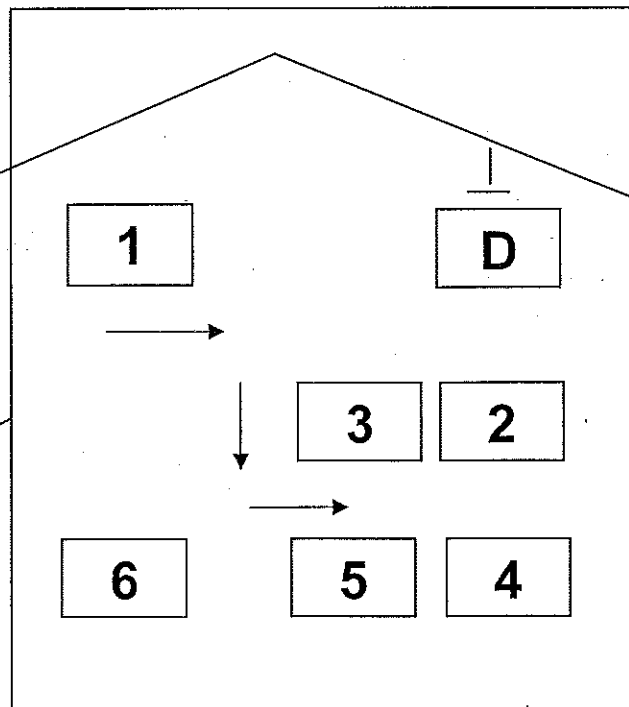
Diagram 1



YES

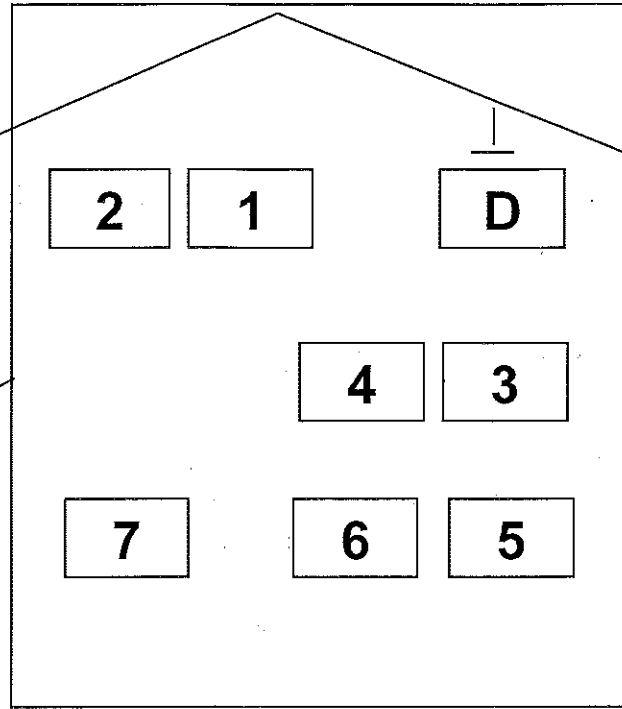
LUGGAGE

Diagram 2



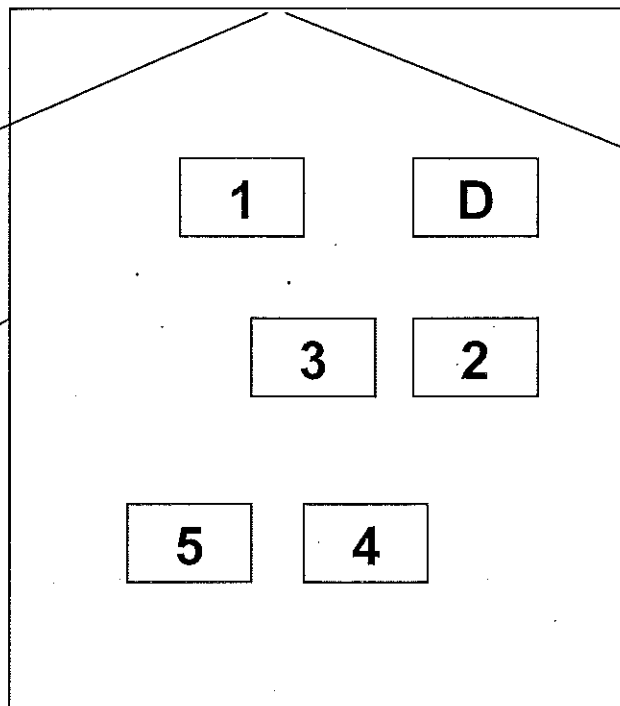
YES

Diagram 3



**YES**

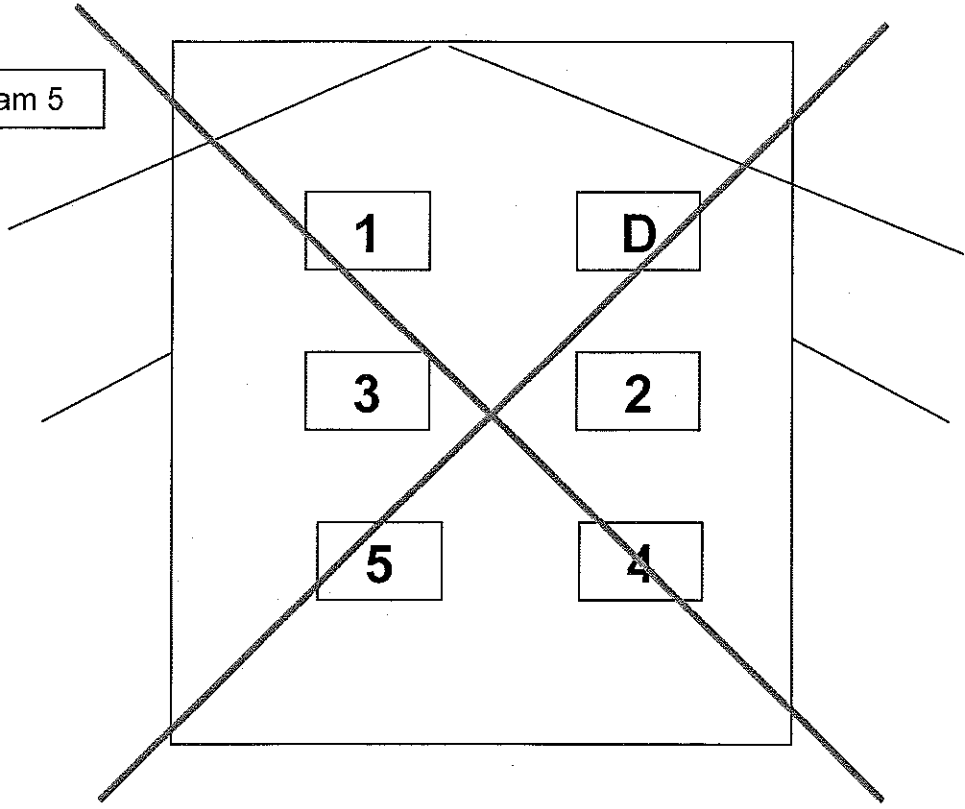
Diagram 4



**YES**

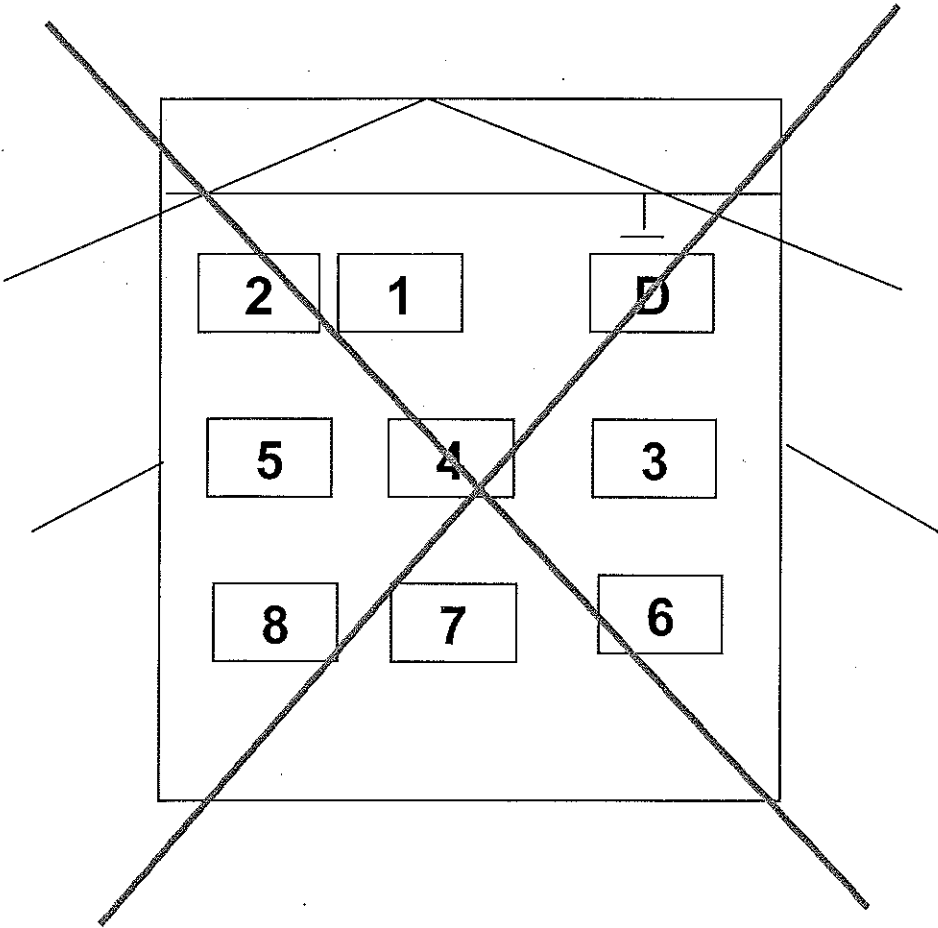


Diagram 5



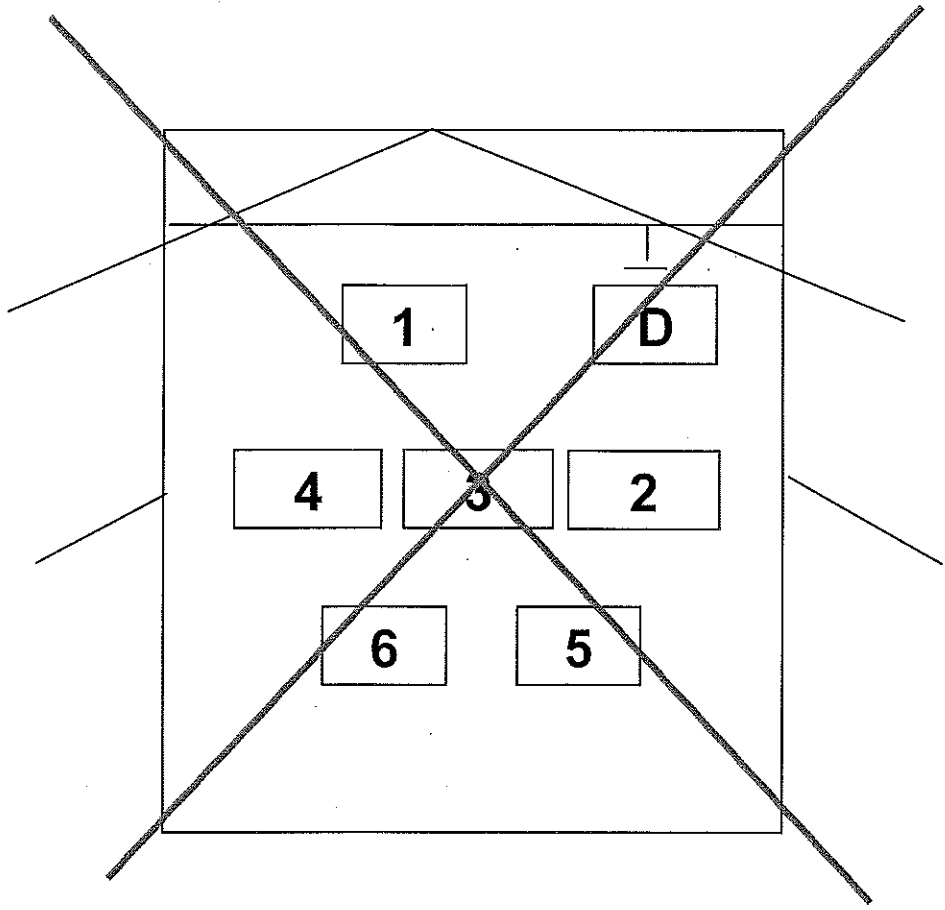
**NO**

Diagram 6



**NO**

Diagram 7



**NO**

## **GENERAL INFORMATION AND GUIDANCE**

### **1. DRIVING A LICENSED VEHICLE**

A Hackney Carriage Drivers Licence will cover a person to drive a Hackney Carriage Vehicle only. To drive a Private Hire Vehicle the driver must hold a Private Hire Drivers Licence. Any new applicant for a Hackney Carriage/Private Hire drivers licence must have held a full DVLC licence for a minimum of 12 months.

### **2. MEDICALS**

An applicant is required to have a medical upon initial application. A further medical, completed and signed by a registered medical practitioner, is then required when the applicant reaches their 50th, 56th, 59th or 62nd birthday. Applicants aged 65 or over must return the form duly completed with every application for the renewal of a driver's licence.

It is an offence under Section 57 of the Local Government (Miscellaneous Provisions) Act 1976 to knowingly or recklessly make a false statement or omit any material particulars in giving the above information. Maximum fine - £400.

### **3. CRB CHECKS**

The licensing authority is empowered in law to check with the CRB for the existence and content of any criminal record held in the name of an applicant. Information received from the CRB will be kept in strict confidence while the licensing process takes its course and will be retained for no longer than is necessary.

The disclosure of a criminal record or other information will not debar you from gaining a licence unless the Licensing Committee considers that the conviction renders you unsuitable. In making this decision the Licensing Committee will consider the nature of the offence, how long ago and what age you were when it was committed and any other factors which may be relevant. Any applicant refused a driver's licence on the ground that he/she is not a fit and proper person to hold such a licence has a right of appeal to a Magistrates' Court.

CRB checks are required upon initial application, then every 3 years thereafter.

### **4. OPERATION OF A BUSINESS**

The Council's Planning policy restricts the number of taxis operating from a house to two provided they are operated by members of the resident family.

If you plan to operate a business with more than 2 vehicles, it is recommended that the operator contacts the Planning Department.

**5. CHANGE OF VEHICLE**

If a proprietor changes their licensed vehicle, the new vehicle should be tested at one of the Council's approved garages. The Licensing Department should be notified, bringing in the garage pass slip and the insurance for that vehicle.

Frequency and timing of vehicle is governed by the vehicle licence. Vehicles must always be tested before renewal of the licence, however, if a vehicle has been replaced and tested within a maximum of 4 weeks before expiration of a licence, under normal circumstances (i.e. vehicle is still in good repair/condition) a further test will not be required.

If you have any queries with regards change of vehicle you should contact The Licensing Section. In some circumstances you may wish to cancel your current licence and take a new licence upon change of vehicle.

**6. LICENSING FORUM**

The Council hold regular meetings with representatives of the taxi/private hire trade. If you wish to become a representative or find out who your representatives are contact the Licensing Section.

**7. DRIVERS/VEHICLE OWNERS**

It is your duty to ensure that all licences are renewed promptly and that all vehicle tests are carried out on time.

**8. OPERATORS**

You are reminded that it is your responsibility to ensure that all drivers working for you and all vehicles used in the cause of your business are fully licensed and insured at all times

**9. TEMPORARY SUSPENSION OF HACKNEY CARRIAGE LICENCES**

In circumstances where a hackney carriage licence is suspended because of accident, damage or mechanical failure and the proprietor cannot temporarily afford to replace or repair the damaged vehicle, upon written request, the Council will hold the plates open for a period of up to 6 months for reissue to the proprietor. While licences are suspended or where plates are held open beyond the expiry of a licence, no transfer of ownership or commencements of partnerships may take place.

**10. TINTED WINDOWS**

You are advised to check with the Licensing Department to confirm level of light obscuration.

**CONTACT NUMBERS**

General enquiries - Sandra O'Neill - 876543

Enforcement enquiries – Jennifer Curtis - 876543

Policies – Graham Barker- 876543