

WARWICK DISTRICT COUNCIL

TO: LICENSING SUB-COMMITTEE - 8 MAY 2000

**SUBJECT: APPLICATION FOR PRIVATE HIRE OPERATORS LICENCE
- HENCHMAN'S COTTAGE, ROUNCIL LANE, KENILWORTH**

FROM: MEMBERS' SERVICES

1. PURPOSE OF REPORT

1.1_ To consider an application for a private hire operators licence in respect of the above premises where the advice from the Planning Department is that, in certain circumstances, planning permission would be required.

2. BACKGROUND

2.1 Under the provisions of Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 a district council shall, on receipt of an application from a person for the grant to that person of a licence to operate private hire vehicles, grant to that person an operators licence provided it is satisfied that the applicant is a fit and proper person to hold such a licence.

2.2 J.B., the applicant, ran a private hire business from a light industrial premises in Kenilworth for a number of years. He left these premises about eighteen months ago and moved into premises in Station Road, Kenilworth, which did not have the benefit of planning permission for such use. It was necessary to serve an enforcement notice on J.B. in respect of the premises in Station Road which he complied with.

2.3 J.B. then moved to garden sheds at the rear of Forge Cottage, 200 Warwick Road, Kenilworth and applied for an operators licence from these premises.

- 2.4 Planning were informed of noise disturbance to local residents and investigated the position. It decided that planning permission would be required to operate these premises and the Plans Sub-Committee authorised the service of an enforcement notice.
- 2.5 In the light of the information supplied to it at a meeting held on 1 July 1999 the Sub-Committee refused the application for an operators licence for 200 Warwick Road, Kenilworth.

2.6 J.B. then ceased trading as a private hire firm altogether.

3. **CURRENT APPLICATION**

- 3.1 J.B. has now agreed to lease the above premises in Rouncil Lane, Kenilworth, and has submitted an application for a licence to operate private hire vehicles from those premises.
- 3.2 He has consulted Planning and they have written to him setting out their views on the planning position with regard to the premises. A copy of this letter is attached.

4. **CONSIDERATIONS**

- 4.1 Members will see from the letter from Planning that if more than one vehicle was operated from the premises planning permission would be required.
- 4.2 If the Council, as Licensing Authority, were to issue an operators licence it is likely that in a very short time at least three vehicles would be operated from the premises.
- 4.3 The applicant and his representative have been invited to attend the meeting to address members in support of his application.
- 4.4 Mike Duffett, from Planning, will be attending the meeting to address members on the planning position with regard to these premises.

5. **DECISION REQUIRED**

- 5.1 After hearing all the submissions the Sub-Committee is asked to consider resolving under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting during consideration of the application by reason of the likely disclosure of exempt information within paragraphs 4 and 12 of Part I of Schedule 12A of the Act.
- 5.2 Members are asked to consider all the information supplied and decide whether the application for a licence to operate private hire vehicles from the above address should be approved.

Colin Tubbs

Senior Administration Officer

BACKGROUND PAPERS

Application for private hire operators licence dated 13 April 2000.

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Areas in the district affected:

Kenilworth

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