

Regulatory Committee

Wednesday 21 April 2004 –10.00 AM

Tuesday 13 April 2004

A meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa, on Wednesday 21 April 2004 at 10.00 am.

Committee Membership:

Councillor Mrs M A McFarland (Chair)
Councillor Mrs E M Goode (Vice-Chair)

Councillor R Butler	Councillor C Harris
Councillor M F Coker	Councillor P A Offer
Councillor Mrs J M Knight	Councillor L G Windybank
Councillor D S Kundi	

Declarations of Interest

Declarations should be entered on the form to be circulated with the attendance sheet, and declared at item 2 below. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. In the event of an interest being prejudicial, Members are reminded that they must withdraw from the room or chamber whenever it becomes apparent that the matter is being considered, unless a dispensation has been obtained from Standards Committee. **If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from Officers prior to the meeting.**

AGENDA

1. Substitute Members

To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. Declarations of Interest

Members to declare the existence and nature of personal and prejudicial interests in the items on the agenda in accordance with the adopted Code of Conduct.

***3. Applications for Public Entertainments Licence- Avon Tavern, Pickard Street, Warwick**

To consider the report from Members' Services. (Page1)

(Enclosure)

***4. Modification of Skin Piercing Byelaws – Local Government Act 2003**

To consider the report from Environmental Health. (Page 9)

(Enclosure)

***5. Taxi Ranks, Leamington Spa**

To consider the report from Members' Services. (Page 20)

(Enclosure)

***6. Hackney Carriage and Private Hire Vehicle Plates**

To consider the report from Members' Services. (Page 22)

(Enclosure)

(*DENOTES THOSE ITEMS UPON WHICH DECISIONS WILL BE MADE UNDER DELEGATED POWERS, AS PREVIOUSLY GRANTED BY THE COUNCIL)

General Enquiries: Please contact Colin Tubbs - Members' Services, Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

Telephone: 01926 456101

Switchboard: 01926 450000

Facsimile: 01926 456121

E-Mail: colin.tubbs@warwickdc.gov.uk

Enquiries about specific reports: Please contact the officer named in the reports.

**THE AGENDA IS AVAILABLE IN LARGE PRINT
ON REQUEST, PRIOR TO THE MEETING BY
CONTACTING COLIN TUBBS ON
(01926) 456101**

AGENDA ITEM NO 3

TO: **REGULATORY COMMITTEE – 21 APRIL 2004**

SUBJECT: **APPLICATION FOR A PUBLIC ENTERTAINMENTS LICENCE – AVON TAVERN, 27 PICKARD STREET, WARWICK**

FROM: **MEMBERS' SERVICES**

1. **PURPOSE OF REPORT**

- 1.1 To consider an application for a public entertainments licence for the above premises.

2. **BACKGROUND**

- 2.1 An application has been received for a public entertainments licence to allow music at the above premises from 11.00 am to 11.00 pm Monday to Saturday.
- 2.2 Following the usual consultation process the following letters and e-mails have been received:-
 - (a) E-mail from Ward Councillor, Councillor Mrs Hodgetts expressing concern about the application; (Page 3)
 - (b) Letter from Mr Cruwys of 3 Meadow Road, Warwick together with a petition objecting to the application; (Page 4)
 - (c) E-mail from Richard Hall Environmental Health Officer referring to noise complaints in the past and suggesting that if a licence is issued it should be for a trial period only and should be subject to noise mitigation measures being undertaken including secondary glazing of windows and the provision of a noise limiter. (Page 7)
- 2.3 A plan showing the location of the premises is attached. (Page 8)
- 2.4 The Fire Officer is not objecting to the application but has submitted a letter stating that should a licence be issued additional emergency lighting should be provided. The letter also sets out an occupancy figure of 60 persons for the premises and if a licence is issued it will be subject to this figure.
- 2.5 The Police are not objecting to the application.
- 2.6 Councillor Mrs Hodgetts will be attending the meeting to address members in support of her objection.
- 2.7 Mr Cruwys will be attending to address members in support of the objectors who signed the petition.
- 2.8 Richard Hall will be represented at the meeting.

3. **PUBLIC AND PRESS**

- 3.1 After hearing all the submissions the Committee is asked to resolve that, under Section 100A of the Local Government Act 1972 the public and press be excluded from the meeting by reason of the likely disclosure of exempt information within paragraph 12 of Part 1 of Schedule 12A of the Act.

4. **DECISIONS REQUIRED**

- 4.1 Members are asked to consider all the information presented to them at the meeting and to decide whether to approve the application for a public entertainments licence and, if so, whether it should be subject to any additional conditions.

Colin Tubbs
Senior Committee Services and Licensing Officer

BACKGROUND PAPERS

NIL

Areas and the District Affected:	All
Key Decision:	Yes
Included in Forward Plan:	No

For further information about this report please contact:

Contact Officers: Colin Tubbs
Tel: (01926) 456101 (Direct Line)
E-mail colin.tubbs@warwickdc.gov.uk

Colin Tubbs

From: Christine Hodgetts
Sent: 27 February 2004 09:33
To: Colin Tubbs
Subject: Entertainments Licence Avon Tavern

Colin,
I am very concerned to hear that there has been an application for this licence.
The Avon is a traditional pub in a narrow street, very closely built. Hence there are neighbours in very close proximity in every direction. the rooms are small, so it quickly fills to the point where windows need to be opened. This means that the entertainment is freely shared with all the neighbours, whether they want it or not. Even in the winter, the noise spills out every time the door opens. Because of the noise of the entertainment, patrons have to speak to each other loudly and then tend to maintain their elevated voices when they leave the premises, thus increasing the disturbance to neighbours.
I would not wish to discourage the occasional live performance of the kind which does not need a licence, but I believe that this is not the kind of premises to carry more than that on a regular basis. the fact that the application is for Monday to Saturday is even more horrifying. Please convey these comments to the Regulatory Committee. Christine Hodgetts

Warwick District Council

C P Cruwys
3 Meadow Road
Warwick

CV34 4PS

Attention of:-

Senior Committee Services and Licensing Officer
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5HZ

4th March 2004

By Hand

Dear Sirs

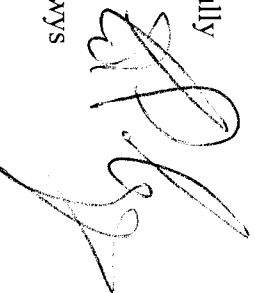
Would you please address any correspondence re-the enclosed objections to myself at the above address.

The Avon Tavern in itself has noise containment issues as it stands; and the proposed entertainment license with it's potential for increased levels of amplified noise, allied to perhaps increased custom and customer noise overhead, does not sit well with the pub's location or building integrity.

The building is an Edwardian back street pub and better suited perhaps to its original intent and use, as opposed to Mr Connelly's vision of future business needs.

Yours faithfully

Colin P. Cruwys



Attention of:-

Senior Committee Services and Licensing Officer
Warwick District Council

Riverside House

Milverton Hill

Leamington Spa

CV32 5HZ

B. Howard 4/3/04

3rd March 2004

Dear Sirs

We the undersigned wish to register our objection to the granting of an
Entertainment License to Mr B K Connolly of the Avon Tavern in Pickard Street.

We feel the building is unsuitable for such a purpose; because of the lack of adequate soundproofing, and containment, in so far as electrically amplified music and entertainment is concerned.

We feel that amplified music in a the relatively confined & acoustically challenged space that the Avon Tavern provides; leads to a shift in hearing range and therefore precipitates elevated levels of conversation from customers leaving the premises late at night.

We feel the close proximity of the premises to family residential accommodation, allied to the requested hours detailed in the application in particular; would deprive both the elderly, and children of a school age, of their right to undisturbed sleep.

Yours faithfully

<u>Name</u>	<u>Address</u>	<u>Signature</u>
C. CAVUAGS	3 Meadow Road	[Signature]
B. M. M. B.	2 Meadow Road	B. M. M. B.
N. P. P. H.	8 Meadow Road	N. P. P. H.
R. P. H.	8 Meadow Road	R. P. H.
J. P. H.	8 Meadow Road	J. P. H.
J. A. C. H. E. R. A. S.	1 Meadow Road	J. A. C. H. E. R. A. S.
M. D. E. L.	29 Pickard Street	M. D. E. L.
G. T. U. R. P. I. D.	33, Pickard Street	G. T. U. R. P. I. D.
S. M. M. H. E. R. E.	101 Pickard Street	S. M. M. H. E. R. E.

Attention of:-

2 of 2

Senior Committee Services and Licensing Officer
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5HZ

3rd March 2004

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Entertainment License to Mr B K Connolly of the Avon Tavern in Pickard Street.

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entertainment is concerned.

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space that the Avon Tavern provides; leads to a shift in hearing range and therefore
precipitates elevated levels of conversation from customers leaving the premises late
at night.

We feel the close proximity of the premises to family residential accommodation,
allied to the requested hours detailed in the application in particular; would deprive
both the elderly, and children of a school age, of their right to undisturbed sleep.

Yours faithfully

<u>Name</u>	<u>Address</u>	<u>Signature</u>
S O'Grady	4 Meadow Rd	[Signature]
M. Murrell	4 Meadow Rd	[Signature]
J. Murrell	24 Pickard St.	[Signature]
M. A. Lumsden	24 Pickard St.	[Signature]
D. Barker	52 Avon St	[Signature]
G. Barton	48 Avon St.	[Signature]
P. Alcock	48 Avon St	P. A. Alcock
R. Barker	50 Avon St	[Signature]
G. Barton	50 Queen St	[Signature]
C. Sleight	7 Meadow Rd.	C. Sleight

Colin Tubbs

From: Richard Hall
Sent: 19 March 2004 12:13
To: Colin Tubbs
Cc: Christine Hodgetts
Subject: PEL Application Avon Tavern Pickard Street Warwick

This department has, in the past, received noise complaints about loud music from these premises, though I am not aware of any complaints since September 2003.

It is apparent that noise breakout from the premises would be difficult to control. In addition, because of the close proximity of residential properties and the nature of the area, there are inherent problems which mean that this public house does not lend itself easily to being used for public entertainment.

If the committee are of a mind to grant permission for a licence I would recommend that noise mitigation measures be required, including secondary glazing of windows and a noise limiter. A trial period of no more than 6 months, allowing a limited number of events, is also recommended.

I am aware that the cost of implementing these measures may be an issue if only a trial period is permitted. However, I consider that public entertainment should not be allowed in this case without suitable noise control measures being in place.



AGENDA ITEM NO 4

TO: **REGULATORY COMMITTEE – 21 APRIL 2004**

SUBJECT: **MODIFICATION OF SKIN PIERCING BYELAWS
LOCAL GOVERNMENT ACT 2003**

FROM: **ENVIRONMENTAL HEALTH**

1. PURPOSE OF REPORT

1.1 To advise the committee of a change of legislation enabling the extension of the existing "skin piercing" byelaws to cover "body piercing" and "semi permanent tattooing" and requesting agreement to apply to the Secretary of State to adopt the new model byelaws.

2. BACKGROUND

2.1 In 1984 the Council adopted the provisions of the Local Government (Miscellaneous Provision) Act 1982 which required persons carrying on the business/practice of acupuncture, tattooing, electrolysis or ear piercing to be registered with the Council, and maintain relevant hygiene standards.

2.2 Since 1984, new forms of body decoration have become main stream ie body piercing and semi permanent tattooing or make up.

2.3 Concern has been expressed that outside London, there was no regulation of these forms of skin piercing, as any form of skin piercing could lead to blood born virus infection if high standards of hygiene are not followed.

2.4 The Local Government Act 2003, Section 120 and Schedule 6 have extended the provisions of the 1982 Act to require persons carrying on all forms of cosmetic piercing (ear and body piercing) and semi-permanent skin colouring (micro pigmentation,) to be registered. The Act also allows the Council to make byelaws regulating persons carrying on these activities

2.5 A local authority may make the new byelaws in accordance with model byelaws after the 1st April 2004 by following the procedure set out in the guidance to the regulations, ie:

- The Council resolve to make the byelaws
- Advertise in the local press the intention to apply to the Secretary of State for confirmation of the byelaws – giving 1 months notice.
- Confirmation by the Secretary of State

2.6 The fee structure already in existence for registering persons carrying on the practice/business of acupuncture, tattooing, ear piercing and electrolysis should apply to registrations relating to body piercing and semi-permanent skin colouring

(micro pigmentation) – ie. a one off fee for a new registration and a reduced fee where a previous registration at the premises / business or inspection of the business within the past two years.

- 2.7 Existing registrations will continue until there is a change – ie. change of person, premises or type of piercing. Premises already registered for ear piercing etc but already carrying out one or more of the “newly registerable activities” will constitute a change.

- 2.8 The proposed byelaws, based on the draft model within the guidance, are attached.

3. **DECISION REQUIRED**

- 3.1 Members are asked

- (1) to note the change in legislation and agree that the fee for existing registrations apply to the newly registerable activities;
- (2) to approve the new byelaws attached and authorise the officers to carry out the necessary procedure and apply to the Secretary of State for confirmation of the byelaws.

BACKGROUND PAPERS

Local Government Act 2003
Regulation of Cosmetic Piercing & Skin Colouring Businesses
Guide on Section 120 & Schedule 6. Department of Health

Areas and the District Affected:	Whole District
Key Decision:	None
Included in Forward Plan:	N/A

For further information about this report please contact:

Contact Officers: Paul Briggs
Tel: (01926) 456714
E-mail paul.briggs@warwickdc.gov.uk

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APPENDIX 1 - COSMETIC PIERCING

Byelaws for the purposes of securing the cleanliness of premises registered under section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of **cosmetic piercing** made by **Warwick District Council** in pursuance of Section 15(7) of the Act.

1. Interpretation:
 - a. In these byelaws, unless the context otherwise requires –
 - “The Act” means the Local Government (Miscellaneous Provisions) Act 1982;
 - “Client” means any person undergoing treatment;
 - “Operator” means any person giving treatment;
 - “Premises” means any premises registered under Part VIII of the Act;
 - “Proprietor” means any person registered under Part VIII of the Act;
 - “Treatment” means any operation in effecting cosmetic piercing;
 - “The treatment area” means any part of the premises where treatment is given to clients.
 - b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.
2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that -
 - a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
 - b. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;
 - c. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;
 - d. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
 - e. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;

- v. any operator does not smoke or consume food or drink in the treatment area.
- b. A proprietor shall provide;
 - i. suitable and sufficient washing facilities for the sole use of operators, including hot and cold water and sanitising soap or detergent;
 - ii. suitable and sufficient sanitary accommodation for operators.

GIVEN under the COMMON SEAL of the Council this Two thousand and four

THE COMMON SEAL of WARWICK DISTRICT COUNCIL was hereunto affixed in the presence of:-

.....
 Head of Legal Services

The foregoing byelaws are hereby confirmed by the Secretary of State for Health And shall come into operation on

.....
 Member of the Senior Civil Service
 Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors must take all reasonable steps to ensure compliance with those byelaws by persons working on the premises. Section 16(9) of the Act provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16(2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under Part VIII of the Act is found guilty of contravening these byelaws the Court may instead of or in addition to

imposing a fine, order the suspension or cancellation of his registration and of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under sub-sections (1), (2), (8) or (10) of Section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

- C. Nothing in these byelaws extends to the practice of cosmetic piercing by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of cosmetic piercing is carried on by or under the supervision of such a person.

Ref: safety/mach1/march04/draft model byelaws 1

APPENDIX 2 – SEMI-PERMANENT SKIN-COLOURING

Byelaws for the purposes of securing the cleanliness of premises registered under section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilisation of instruments, materials and equipment used in connection with the business of **semi-permanent s kin-colouring**, made by **Warwick District Council** in pursuance of section 15(7) of the Act.

1. Interpretation:
 - a. In these byelaws, unless the context otherwise requires –
 - “The Act” means the Local Government (Miscellaneous Provisions) Act 1982;
 - “Client” means any person undergoing treatment;
 - “Operator” means any person giving treatment;
 - “Premises” means any premises registered under Part VIII of the Act;
 - “Proprietor” means any person registered under Part VIII of the Act;
 - “Treatment” means any operation in effecting semi-permanent skin-colouring
 - “The treatment area” means any part of the premises where treatment is given to clients.
 - b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.
2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that -
 - a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
 - b. The treatment area is used solely for giving treatment;
 - c. The floor of the treatment area is provided with a smooth impervious surface;
 - d. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;
 - e. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;
 - f. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
 - g. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to

treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;

h. Where tables and couches are used, they are covered by a disposable paper sheet which is changed for each client;

i. No eating, drinking or smoking is permitted in the treatment area and a notice or notices reading "No Smoking", "No Eating or Drinking" are prominently displayed there.

3. For the purpose of securing the cleansing and so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment -

a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –

i. is clean and in good repair, and so far as is appropriate, is sterile;

ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilized.

b. An operator shall ensure that –

i. any needle, metal instrument, or other item or equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;

ii. all dyes used for semi-permanent skin-colouring are sterile and inert;

iii. the containers used to hold the dyes for each customer are either disposed of at the end of each session of treatment, or are cleaned and sterilised before re-use;

c. A proprietor shall provide –

i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;

ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;

iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;

iv. adequate storage for items mentioned in byelaw 3 a and b above, so that those items are properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

4. For the purpose of securing the cleanliness of operators -

a. A proprietor shall ensure that –

i. any operator keeps his hands and nails clean and his nails short;

- ii. any operator wears disposable surgical gloves that have not previously been used with any other client;
- iii. any operator of the premises wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with any other client;
- iv. any operator keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
- v. any operator does not smoke or consume food or drink in the treatment area.
- b. A proprietor shall provide –
 - i. suitable and sufficient washing facilities for the sole use of operators, including hot and cold water, sanitising soap or detergent;
 - ii. suitable and sufficient sanitary accommodation for operators.

GIVEN under the COMMON SEAL of the Council this Two thousand and four

THE COMMON SEAL of WARWICK
DISTRICT COUNCIL was hereunto
affixed in the presence of:-

.....
Head of Legal Services

The foregoing byelaws are
hereby confirmed by the
Secretary of State for Health
And shall come into operation on

.....
Member of the Senior
Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under part viii of the Act is found guilty of contravening these byelaws the Court may instead of or in addition to imposing the fine, order the suspension or cancellation of his registration and of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under sub-sections (1), (2), (8) or (10) of Section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws extends to the practice of semi-permanent skin-colouring by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of semi-permanent skin-colouring is carried on by or under the supervision of such a person.

Ref: safety/mach1/march04/draft model byelaws 2

Annex 3

Example of leaflet for local authorities to use in Informing businesses when the Local Government Act 2003 is brought into force in their area

New requirements for [cosmetic body piercing] [micro pigmentation, semi-permanent make-up and temporary tattooing] businesses

The Local Government Act 2003 has introduced new requirements for [cosmetic piercing (piercing of parts of the body, including the ear) [semi-permanent skin-colouring (micro pigmentation, semi-permanent make-up and temporary tattooing) businesses.

From [insert date on which requirement to register and observe byelaws comes into force in the local authority area], [cosmetic piercing] [semi-permanent skin colouring] businesses will have to:

- register with their local authorities; and
- follow byelaws on the cleanliness and hygiene of practitioners, premises and equipment to protect customers against the risk of infection.

It will be an offence to carry on such a business without being registered, to carry on such a business in premises that are not registered for that purpose or to breach byelaws.

The new legislation uses the terminology “cosmetic piercing” to include piercing of any part of the body, including the ear and “semi permanent skin-colouring” as an umbrella term to include activities such as micro pigmentation, semi-permanent make-up and temporary tattooing.

Please contact [insert name of local authority officer] at [insert name of local authority] for advice about registration and byelaws [or see] [insert local authority and internet website address].

The Department of Health’s (DH) guidance to local authorities on the new requirements is available on the DH website at <http://www.dh.gov.uk/publications>

[] = delete as appropriate

AGENDA ITEM NO 5

TO: REGULATORY COMMITTEE – 21 APRIL 2004

SUBJECT: TAXI RANKS, LEAMINGTON SPA

FROM: MEMBERS' SERVICES

1. PURPOSE OF REPORT

- 1.1 To agree to changes to existing ranks in Leamington and to the provision of additional ranks.

2. BACKGROUND

- 2.1 The Enforcement Officer has been talking to the Leamington Taxi Proprietors' Association about the provision of ranks in Leamington. The Police have also made suggestions with regards to taxi ranks so that persons leaving licensed premises late at night and early in the morning can be taken out of the town centre as quickly as possible.
- 2.2 As a result the following proposals have been agreed with the County Council:-
 - 1. Provision of a part-time new rank for four vehicles in Victoria Terrace to operate from 20.00hours to 05.00hours;
 - 2. The existing part-time rank be moved from the west side of Bedford Street to the east side of Bedford Street outside the entrance to Rio's Night Club. The existing part-time rank is for 21.00 hours to 06.00 hours and it is suggested that when it is moved it should only be from 23.00 hours to 03.00 hours.
 - 3. provision of a new part-time rank in Tavistock Street outside the entrance to sugar night club to operate from 23.00 hours of 03.00 hours
 - 4. The existing rank in Beauchamp Road to be closed.
 - 5. The existing rank in Holly Walk be extended by five spaces.
- 2.3 The Taxi Proprietors Association have asked for a full-time rank somewhere on the Parade but this is not possible at present because of the proposed changes to traffic regulation in this area. However, the County Council have been asked to bear this possibility in mind when monitoring the success of the changes to traffic regulations on the Parade.

3.2 There is a financial implication in that the proposals need to be advertised and additional signs and road markings need to be provided. The total cost of this is expected to be in the region £1500.

3.3 However, the net cost of the service will not be increased as income from licence fees is expected to be more than that budgeted for.

4. DECISION REQUIRED

4.1.1 Members are asked to approve the above proposals for changes to taxi ranks in Leamington Spa and to authorise the officers to take all the necessary action to bring them into effect.

4.1.2 The Council be recommended to increase the licence fee income budget and to allow virement to meet the costs identified in paragraph 3.2

Colin Tubbs
Senior Committee Services and Licensing Officer

BACKGROUND PAPERS

NIL

Areas of the District Affected:	N/A
Key Decision:	No
Included in Forward Plan:	N/A

For further information about this report please contact:

Contact Officer:	Colin Tubbs
Tel:	(01926) 456101 (Direct Line)
E-mail	colin.tubbs@warwickdc.gov.uk

I:\secs\members\Reports\Reg214taxirank.doc

TO: REGULATORY COMMITTEE – 21 APRIL 2004

SUBJECT: HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE PLATES

FROM: MEMBERS' SERVICES

1. PURPOSE OF REPORT

- 1.1 To approve the introduction of plates bearing the registration number and the date of the expiry of the licence, for all hackney carriage and private hire vehicles.

2. BACKGROUND

- 2.1 At present, all hackney carriage and private hire vehicles are issued with a numbered plate which they have to affix to the rear of the vehicle. The hackney carriage plates are white, and the private hire purple. The plates do not carry details of the licensed vehicle or the expiry date of the licence.

- 2.2 Almost 75% of all local authorities now use a system provided by Mogo which allows plates to be made up bearing the registration number of the vehicle, and the expiry date of the licence.

- 2.3 The benefits of the system are that members of the public can identify if the vehicle is properly licensed by the information recorded on the plates. It also stops any abuse of the system such as swapping plates onto different vehicles. From the enforcement point of view it will ensure that only properly tested and registered vehicles can be used, and that they are easily identified.

- 2.4 The plates contain the make, model, colour and registration number of the vehicle, together with the plate number, the number of seats and the licence expiry date. It also contains the Council's corporate logo and a security hologram.

- 2.5 There is no cost in acquiring the Mogo system but it will be necessary to purchase sufficient plates and mounting brackets, together with labels for making up the information to be put on the plates and a heavy duty roller for making the plates. The system also allows an internal plate to be made so that passengers can be assured that the vehicle is properly licensed and it is suggested that these plates are provided for each vehicle.

- 2.6 Taxis are either purpose built vehicles or have a taxi sign on the roof. However, private hire vehicles are not so easily identified. The system allows for door signs to be printed and it is suggested that these signs are provided for each private hire vehicle.

- 2.7 The total cost of buying sufficient brackets, plates, internal plates, widescreen pouch for internal plates, door signs for private hire vehicles, labels for attaching to plates and a heavy duty roller for making up the plates is £9,883.

- 2.8 There is no provision in the estimates for this amount and it is suggested that a sum of £35 be added to the licence fee, (at present £205), to cover the cost. Each time a proprietor changes the vehicle a new plate will have to be made. At present a fee of £30 is charged for the transfer of the licence which covers the inspection of the

vehicle and it is suggested that £35 be added to this fee for the cost of providing a new plate.

3. **DECISION REQUIRED**

- 3.1 Members are asked to recommend the Council to approve the acquisition of the Mogo system to allow the printing of information for incorporating on plates for hackney carriage and private hire vehicles, as outlined above, and that the officers be authorised to acquire all the necessary brackets, plates and other items at a total cost of £9,883.

- 3.2 The Council be asked to approve an amendment to the fees and charges of an additional £35 to the fee for a hackney carriage or private hire vehicle licence and for the transfer of such a licence.

- 3.3 The Council be asked to allow virement of the additional income generated to meet the additional expenditure identified in paragraph 2.7

Colin Tubbs
Senior Committee Services and Licensing Officer

BACKGROUND PAPERS

NIL

Areas and the District Affected:	All
Key Decision:	None
Included in Forward Plan:	N/A

For further information about this report please contact:

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