

Minutes of a meeting of the Regulatory and Appeals Committee held on Thursday 13 July 2017 at the City Hall, Bradford

Commenced 10.25 am
Concluded 2.15 pm

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Brown Rickard	Amran Wainwright Warburton Watson	Griffiths

Observers: Councillors M Pollard and Townend (Minute 14)

Councillor Warburton in the Chair

10. DISCLOSURES OF INTEREST

In the interests of transparency, Councillor Amran disclosed, in respect of the item relating to Private Hire and Hackney Carriages – Changes to Conditions (Minute 17), that he had family members who were in the private hire business and also that he was acquainted with a number of people who were present at the meeting in respect of this matter.

In the interests of transparency, Councillor Griffiths disclosed, in respect of the item relating to Private Hire and Hackney Carriages – Changes to Conditions (Minute 17), that as a General Practitioner he was sometimes asked to undertake medical examinations for taxi drivers.

In the interests of transparency, Councillors Brown and Warburton noted, in respect of the item relating to Private Hire and Hackney Carriages – Changes to Conditions (Minute 17), that they were acquainted with a number of people who were present at the meeting in respect of this matter.

During the meeting and in the interests of transparency, Councillors Amran, Rickard and Wainwright disclosed, in respect of the item relating to Land at Hill Top, Thornton, Bradford (Minute 15), that they had been Members of the Area Planning Panel (Bradford) when a previous application for a smaller development at this site had been considered. They stated that they would approach the issue with an open mind and consider all the relevant material planning issues before making a decision.

11. MINUTES

Resolved –

That the minutes of the meetings held on 27 April and 15 May 2017 be signed as a correct record.

ACTION: City Solicitor

12. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

13. MEMBERSHIP OF SUB-COMMITTEES

No resolution was passed on this item.

NO ACTION

14. BAILDON MILLS, NORTHGATE, BAILDON

The Assistant Director - Planning, Transportation and Highways presented three reports in respect of the following applications at Baildon Mills, Northgate, Baildon:

- (i) Planning application for the conversion and alteration, including partial demolition, of existing buildings and the replacement of a garage block with a new building to form 42 residential units – 16/06606/MAF (**Document “E”**).
- (ii) Application for Listed Building Consent for works to convert a listed building to residential use (**Document “F”**). The listed building being one of the buildings proposed for residential conversion under planning application 16/06606/MAF ((i) above).
- (iii) Planning application for the development of 14 residential dwellings on land within the mill site currently covered by a large warehouse (**Document “G”**) – 17/00921/MAF.

The Assistant Director reported on the substance of a further objection, from a local resident, received since the publication of his technical report. He also reported the receipt of additional comments from the Council's Conservation Team and Historic England. He proposed that, if Members were minded to approve the applications, Condition 3 in each case should be amended to specify the need for certain design details to be approved by the Local Planning Authority.

In response to questions from Members he explained that:

- There were currently 58 small business units on the site.
- The use of the main mill for spinning had ceased a number of years ago.
- Most of the units were small offices which accommodated a wide range of uses. The majority of these uses employed one or two people and did not generate a lot of visitors. 25 units were in use with 33 being vacant and a number having given notice.
- The retention of the mill pond was considered to be ecologically beneficial but it had become very overgrown and the margins around it were quite narrow. In addition it had been advised that the existing vegetation did not provide the optimum setting for it. The proposed scheme included some planting in this area, of a scale more fitting for the space available, so there would be some screening for adjacent properties.
- Consideration was also being given to the use of raised level windows or the use of obscure glass in some units to minimise any impact in terms of overlooking of existing properties, although it was noted that the separation distance was in excess of 21 metres.
- 80 parking spaces were currently proposed to serve 56 units which was close to the standard of an average of 1.5 spaces per dwelling; the shortfall was not significant enough to give rise to any concerns given the location of the site. He did not have the figures for the existing provision which was all surface parking.
- The scheme would provide a range of units including a number suitable for first time buyers; there was a shortage of this type of property in Baildon.
- There would be footfall into Baildon town centre from the existing commercial units but it would be difficult to argue that this would be greater than that which would occur from the new residential units. Thus in terms of vitality it could not really be said to be detrimental to the town centre.
- The requirement for affordable housing provision was now established in the Core Strategy and the usual requirement for this area would be for 20% of the units which would equate to 11 in this case. The applicant had said, however, that this commitment would render the scheme unviable. A viability assessment had been submitted and the Economic Development Service had reviewed this document and accepted that it was robust.
- New Homes Bonus was still being awarded but it was not clear at this point how long the scheme would continue.
- The applicant may be able to confirm how long the vacant units had been so. The objectors had stated that a number had only become so recently as a result of uncertainty/insecurity associated with these proposals.

The Assistant Director, Economy and Development Services also answered questions from Members:

- A survey of alternative business accommodation had been undertaken in the Aire Valley and a number of alternatives identified; there was also space a bit further away in Shipley.
- There were a number of alternative premises for anyone wishing to run/set up a small business.
- An overarching analysis of the economic impact had been undertaken. The calculation was that £1 spent with a local business had a multiplier effect and thus became worth £3 to the local economy.
- In terms of loss of income, most of the existing units only had a low rateable value and no rates were paid in respect of the empty units.
- It was acknowledged that there would be an impact from the loss of the existing businesses at this location but alternative premises were available and some of the new residents may choose to work from home; this was an increasingly common situation.

Two of the Ward Councillors were in attendance at the meeting and made the following comments:

- There were a number of concerns about the scheme including; the impact on a Grade II listed building; the effect upon existing businesses; the impact on the centre of Baildon and the effects on the wider community.
- Baildon Mills was still used for commercial purposes and had the potential to be used as such in the future. It was considered that the best way to conserve this site was to use it for a purpose as close as possible to its original use.
- There was a demand for accommodation for small businesses; was the identified alternative accommodation affordable and conveniently placed?
- Relocation may not be viable for these businesses.
- There had been no investment in local infrastructure such as roads, schools and local amenities and it was questioned how Baildon would cope?
- The existing businesses on the site were customers for other businesses located in the town centre.
- The new residents may shop outside Baildon or even outside the district.
- A thriving company needed a balance between housing and employment. There was a concern that Baildon would become a dormitory village for Leeds and Bradford. The sense of community would be lost.
- There had been objections from the Victorian Society, Historic England and the Council's Conservation Team and the Committee was urged to reject the development proposals.
- In the EU Referendum approximately 50% of Baildon's electorate had accepted that population growth should be uncontrolled so the growth in housing provision had to be accepted.

- This application could be considered to be an early test of a key policy in the emerging Core Strategy, which was being submitted to full Council for approval the following week. Policy EC4 (Sustainable Economic Growth) stated that the Council would refuse permission for alternative development, including piecemeal development, of land and buildings currently or last in use for business or industrial purposes within both urban and rural areas unless it can be demonstrated that a site is no longer suitable in terms of (amongst other things) market significance; where it can be shown to have been continuously marketed for at least two years. This application clearly failed those tests and this point was conceded in the Assistant Director's technical report.
- There had already been some significant loss of footfall to the town centre and if this application was approved the situation would worsen.
- The Supply and demand report submitted in May 2017 provided information about alternative local accommodation. This referred to premises at Briar Rhydding with fifteen potential units of different sizes, but it was not known how many were available or if they were suitable, and also Express Buildings on Otley Road which was available as a whole or on a floor by floor basis with no indication that any smaller units were available. It was considered that this information was misleading.
- No affordable housing was proposed to be provided and little or no Community Infrastructure Levy.

The Assistant Director gave the following responses:

- The original spinning use had ceased and the present uses were materially different.
- Historic England had welcomed the proposed residential use as a sustainable solution and a way to retain the buildings in the long term.
- Although affordability and convenience of alternative premises was a consideration it was believed that the benefits offset any harm in terms of economic impact. It was also noted that the site was not safeguarded for employment use in the Replacement Unitary Development Plan (RUDP).
- His technical report also identified a number of other potential premises for relocation.
- It was considered that it would be hard to argue that footfall around the town centre would be reduced by the introduction of residential properties and, even if this was accepted, there was no policy basis which would allow refusal of an application on that basis.
- The district's housing targets were set out in the emerging Core Strategy which had been subject to public examination and was close to adoption. They were therefore to be accorded substantial weight. Baildon had a target of 350 new units in the period up to 2030 and the Authority considered it likely that some deletion of Green Belt would be necessary to fulfil this quota. The delivery of 56 units not requiring incursion into the Green Belt and in a sustainable location was therefore of significant benefit. This had been balanced against the proposal being contrary to Policy EC4 which also carried considerable weight.

In response to a question from a Member of the Committee, the Ward Councillor

explained that the evidence of a reduction in footfall was anecdotal obtained from one of the local food retail businesses. He considered that the sort of development that would result from this permission would retain minimal footfall for the locality; it would house young professionals who would leave the area in the morning and return in the evening.

The Assistant Director responded to further questions:

- The Community Infrastructure Levy (CIL) had replaced Section 106 agreements in respect of education and recreation infrastructure contributions and the only discretion in terms of its payment was in exceptional circumstances. In this locality the CIL rate was £50 per square metre of new floor space but the total amount payable would be reduced as a result of some current floorspace being retained/converted. The calculations were complex and had yet to be finalised for this development but the figure was expected to be in the region of £200,000.
- Viability testing had been a critical element of the analysis undertaken in the development of the CIL charging structure and this had included consideration of elements such as land values and sales values.

An objector to the development made the following comments:

- She had been a tenant of Baildon Mills for ten years and it had been a thriving business community.
- As at 14 April 2016, 61 of 76 units had been in use by a wide variety of businesses, some small and some larger.
- She employed three people and had been unable to find any similar accommodation, in terms of size and facilities, in the Baildon area.
- She and her staff used all the local facilities/shops and did not have to leave the village.
- The suggestion that these units were not needed was not valid. They had not been marketed and due to the need for security and the uncertainty caused by these development proposals people had chosen to go elsewhere.
- It was very sad that a vibrant community would be lost on the basis of an ill founded plan. Re-development could have been an opportunity to provide an exciting mixed plan including existing businesses and retail and been part of a thriving Baildon.
- It was apparent that the village was quieter on a day to day basis and local retailers reported not being as busy.

The agent was present at the meeting to answer any questions from Members. He said that he did not have any different figures to those quoted in respect of the number of units being in use/vacant and did not have any additional information to that contained in the Assistant Director's technical report.

Members made the following comments:

- It was unfortunate that no-one from the Parish Council was in attendance to speak about the Local Plan, the effect on the Green Belt and the availability of employment space locally.

- The Authority needed to be mindful of the effect on local businesses and the impact on the local community.
- The suggestion that the people moving into the residential units would replace the people from the existing businesses in using local businesses was questionable.
- The levels of CIL were disappointing; this was an affluent area; there must be better ways to find money for local infrastructure.
- A breakdown of the viability issues should be provided and more information in terms of the analysis of the economic impact.
- It was not considered that the change to residential use would be beneficial.
- The amount of CIL was a concern.
- This development would provide 56 of the allocated number of residential units for Baildon (in the Core Strategy) and thus there would be less pressure on the Green Belt.

Further to which it was:

- (i) Application No: 16/06606/MAF

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report, further to the amendment of Condition 3 to read as follows:

3. No 'built development works' shall be begun until full details of all facing materials, including samples of facing walling stones and roof tiles *and details of the cladding, pointing, eaves and windows and doors including reveals* have been submitted to and approved in writing by the Local Planning Authority. Details shall also be provided of proposals for alterations to the windows to the mill elevation facing Providence Row to minimise the potential for overlooking. Thereafter the development shall be constructed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development is sympathetic to the built and natural environment in the locality, in accordance with saved policies D1, BH7 and NE3 of the replacement Unitary Development Plan.

- (ii) Application No: 16/06607/LBC

Resolved –

That the application for Listed Building Consent be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.

(iii) Application No. 17/00921/MAF

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report, further to the amendment of Condition 3 to read as follows:

3. No 'built development works' shall be begun until full details of all facing materials, including samples of facing walling stones and roof tiles *and details of the cladding, pointing, eaves and windows and doors including reveals* have been submitted to and approved in writing by the Local Planning Authority. Details shall also be provided of proposals for alterations to the windows to the mill elevation facing Providence Row to minimise the potential for overlooking. Thereafter the development shall be constructed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development is sympathetic to the built and natural environment in the locality, in accordance with saved policies D1, BH7 and NE3 of the replacement Unitary Development Plan.

ACTION: Assistant Director - Planning, Transportation and Highways

15. LAND AT HILL TOP, THORNTON, BRADFORD

The report of the Assistant Director - Planning, Transportation and Highways (**Document "H"**) considered an outline application for the construction of 11 residential units on land to the south of Hill Top Road, Thornton - 16/09443/MAO. The report explained that the proposal would involve the creation of a new adoptable access from Hill Top Road and that all matters save access were reserved for later approval.

An objector to the application put forward the following concerns:

- He lived on Close Head Lane. The main issue was the certainty that the existing properties would flood and the need for a full understanding of the implications for drainage.
- Close Head Lane was also a bridleway and formed part of the Bronte Way. The Council's own Rights of way Officer had stated that obstruction of this would be an offence.
- There was no way of gaining access to Thornton Road for the disposal of waste water so a pump system would be needed to transport it up to Hill Top Road, if this system failed it would cause problems for Close Head Lane and its residents. The Lead Drainage Officer had required a condition in respect of the disposal of surface water and noted the location of the nearest public sewers; it had been stated that connection to either of these would require extensive and complex off-site works. It was questioned what this work would entail and it was considered that these details should be available prior to approval being granted.

- Flooding already took place along the bridleway. Close Head Lane effectively became a river and this could happen a couple of times a year. The properties had not yet flooded but at present the existing fields absorbed surface water.
- Water would be able to flood into the terraced properties through windows at or below ground level.
- The comments submitted by the resident of Poppy House explained the concerns in detail.
- A Drainage Report published in January 2017 noted that the site sloped steeply with an average gradient of between 1 in 6 and 1 in 8. There were no public sewers on site and it had not been explained how the developer would access the sewers in Thornton Road. Members were asked to look at Section 2.2 of this report.

The Assistant Director explained that:

- Both the Lead Local Flood Authority and Yorkshire Water had been consulted and had raised no objections but had recommended the inclusion of Conditions 4, 5 and 7 as set out in his technical report in order to secure an appropriate drainage scheme. It was common practice to impose conditions to secure detailed designs. Surface water run-off from the site would be controlled and this would be considered within the design of the scheme.
- If the Local Planning Authority was not happy with a drainage scheme it could refuse to discharge the relevant condition.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.

ACTION: Assistant Director - Planning, Transportation and Highways

16. DEVELOPMENT SERVICES - ANNUAL PERFORMANCE REPORT

The Assistant Director - Planning, Transportation and Highways presented a report (**Document "I"**) which updated Members on the performance of Development Services against the national assessment criteria and local performance indicators between 1 April 2016 and 31 March 2017.

Resolved –

That Document "I" be noted and officers be thanked for their hard work and contribution to the results achieved.

NO ACTION

17. PRIVATE HIRE AND HACKNEY CARRIAGES - CHANGES TO CONDITIONS

The report of the Strategic Director, Place (**Document “J”**) sought the approval of the Committee to implement new conditions for private hire driver/operator/proprietor licences and hackney carriage drivers and vehicle licences.

The report explained that the conditions aimed to assist operators, proprietors and drivers in delivering an effective and safe service, improved vehicle maintenance and better business protocols. It stated that the use of good practice would increase the safety of the travelling public.

In presenting the report the Strategic Director highlighted the following points:

- *Condition – Display of Child Sexual Exploitation (CSE)/Safeguarding Information in Licensed Vehicles (Paragraph 3.1):*

This required the display of approved safeguarding information in the form of a window sticker in all licensed vehicles.

- *Conditions – Suitability of Employees (Paragraph 3.2) and Employee Code of Conduct (Paragraph 3.3):*

The Licensing Service had no direct responsibility or powers in terms of the employees of operators. These members of staff could have access to a lot of personal information and it was therefore important that operators take responsibility for undertaking basic checks on them to ensure that they were suitable and to ensure that they were aware of their obligations in respect of the Employee Code of Conduct.

- *Condition – Amendments arising from the Deregulation Act 2015 (Paragraph 3.4):*

This meant that drivers would have the option of either a one or three year licence and operators a one or five year licence. It was noted that the changes to fees would need to be advertised prior to implementation.

- *Condition – Vehicle Safety and Maintenance (Paragraph 3.5):*

The Service had worked hard with proprietors to ensure the safety of vehicles but the overall rate of failure of safety inspections remained around 40% and the percentage of these vehicles with serious or multiple faults was around 20%. It was acknowledged that drivers had raised concerns that, in some cases, a vehicle had been deemed to pass its MOT but problems had been identified by the safety inspection soon afterwards. In these instances details were passed to the Vehicle and Operator Services Agency (VOSA) in these instances. In order to encourage safety the new condition would require proprietors to provide a certificate of mechanical safety and vehicle maintenance and the fee structure would be revised to increase the fees for safety failures judged to be either critical or dangerous.

In response to Members' questions the Strategic Director explained that:

- The provision in relation to Licensed Operators being responsible for conducting checks on employees to ensure that they were of a good character and suitable for the position held and for providing training did not relate to drivers but to employees such as those based in their offices.
- The Council encouraged the installation of CCTV (in accordance with the Council's CCTV Code of Practice) but this was currently on a voluntary basis. It was understood that the Local Government Association intended to publish new guidance on the use of CCTV later in the year and this was awaited prior to any consideration of whether this should be made a mandatory requirement. A lot of local authorities were considering this issue; it was believed that it could be of benefit to both drivers and the general public.
- In terms of the consultation undertaken on the new conditions; these proposals had first been put forward in October 2016. Four meetings a year were held with licensed operators each of whom were required to attend a minimum of 75% of these meetings. The minutes of the meetings were published on the Hackney Carriage and Private Hire Service website and feedback on the issues raised was encouraged. It had been suggested that all drivers/operators should be given the opportunity to comment on the proposals and, as a result, an online survey had been undertaken. This had been open for responses for several weeks with a reminder being sent out in December 2016. Of approximately 7,500 licensees 126 had completed the survey.
- The survey had been sent to the operators and the onus was on them to ensure that their drivers were informed. One of the conditions of a licence was that drivers should make regular visits to the website. The Service was in the process of recording drivers' email addresses and it was intended that in the future information could be sent directly to them.
- The situation in respect of vehicles which had passed their MOT but then had a fault identified by the safety inspection was complex and each case was considered on its merits. The Service could not engage with the garage concerned directly but the driver should be able to use the failure sheet from the inspection to challenge their work.
- The aim of these changes was to ensure that vehicles were safe for both passengers and the drivers themselves. It was noted that the Licensing Service had no incentive to increase fees.

Representatives of various parties put forward the following points to the Committee:

Independent Private Hire Association Bradford

- It was questioned whether the rates for vehicles considered not to be roadworthy had got better or worse over the last five years; figures should be available in order to assist in making a considered decision.
- Drivers were disappointed with the proposals. There were issues in respect of the consultation process.
- It was considered astonishing that only 126 responses had been received from over 7000 drivers but nothing had been done to address this. It was believed that the Council had a duty of care to customers but also to drivers. If a system of consultation had not worked then alternatives should be looked at.

- A 'scores on the doors' system for operators had been discussed but not implemented.
- It was believed that the publicity from the Council was always negative; the recent reports in the press contained information that was five years old.
- Financial punishment would not address the problems and would take money from the pockets of hard working drivers.

In response to questions from Members he said that:

- The biggest concern was the large increase in the fines.
- The undertaking of checks on staff was not considered to be an issue and the provision of safeguarding information was important.

GMB

- As a representative of many drivers across the district it was clear that there was a great strength of feeling about these issues.
- It was considered that ordinary drivers were not being given the respect they deserved.
- Safety was a crucial issue but a £100 penalty if a vehicle was pulled over was not considered to be the way to deal with it.
- Ordinary drivers should be consulted.
- Only 126 people had responded to the consultation but the numbers of people present at this meeting, having had to re-arrange their work to be here, indicated how important the issue was. The Committee should defer the matter for further consultation with stakeholders to find a solution.
- The Council was not talking to the individuals concerned who were doing a fantastic job for the district.

In response to a question from a Member of the Committee, he said that it was not considered that consultation had taken place to the level that it should have done. The matter should be deferred to allow for open consultation and to allow work to be undertaken with officers to find a solution.

Bradford Hackney Carriage Drivers and Owners Association

- The recent press coverage about the failure of safety checks was considered to be confusing to the public and drivers; it did not include any details such as whether these were annual or random inspections.
- The proposed increase in fees for faults to vehicles was a large amount for a driver and would place a burden on them.
- Drivers were generally happy to get CCTV fitted but if a grant was made available it would assist them in installing better quality equipment.
- There were 225 hackney carriages operating in the district but over 3,500 private hire vehicles.
- The numbers of vehicles failing safety checks reflected badly on hackney carriage drivers/operators.
- Passengers wanted cheap travel and this was a competitive business; private hire drivers were overworked and under pressure which meant that they were running on the cheap and did not have time to check vehicles.
- Safety was a priority and the Council was doing a good job but the effect of an increase from £20 to £75 (for a multiple fault failure) had to be considered.

Keighley Private Hire Association

- It was considered that the consultation on the proposals had been poor. The recent survey had only received 126 responses. This was a very low turnout and officers should look at different ways to do this. It should be noted that not all drivers had smartphones.
- A change from £20 to £75 was quite high and a lot of drivers were unhappy about this proposal. This should be reconsidered and taken for further consultation.
- It was questioned what had happened in respect of the suggestion about the provision of free MOTs? There had also been a suggestion that the Service work with selected garages but this had not been progressed.
- Drivers paid enough in fees, re-tests should be done free.

In response to the points raised and additional questions from Members, the Strategic Director said that:

- Driver Training, which had to be repeated every three years, included information on checking the safety of vehicles repeated every three years and all new drivers were briefed on safety and its importance.
- The fees referred to the annual safety inspection test which a driver would know about in advance rather than a penalty if a vehicle was pulled over by enforcement officers.
- The figures for failure had been in the region of 40% consistently over the last few years. Exact figures were provided at the meetings with operators. There had certainly been no significant improvement.
- It was expected that operators communicate information to their drivers.
- The information would have been accessible through any computer not just a smartphone.
- The online survey was believed to be a good way to consult although it was accepted that not all drivers would be able to access it. The collation of information from over 7,500 paper forms would be a lot more difficult than via electronic means.
- The provision of free MOTs this had proved to be administratively impossible and due to a backlog had meant that any vehicle that failed would have had to be taken off the road.
- There had been a discussion about working with selected garages but no proposals had been put forward by the Trade and the Council did not have the capacity to deal with repairs.
- Consultation forms had not been made available at Shearbridge Depot but this was a good idea.
- Where there was a recognised association representing a particular group the Service did engage with them.

Members made the following comments:

- Taking a vehicle for an MOT was no guarantee of it being road worthy but a critical fault should be found by undertaking vehicle checks.
- Up to date figures for the number of failures should be provided and more consultation should be undertaken.

- There were concerns about the consultation process; 126 responses from in excess of 7,500 drivers was not good enough. The Council had a duty of care to drivers as it licensed them; consultation should take place directly. It appeared that operators had not passed on the relevant information to drivers.
- It was the operator's responsibility to ensure checks were made in respect of their staff and to ensure drivers were aware of their obligations in respect of safety.
- If a vehicle was not safe it should not be on the road.
- Although it was appreciated that the response to the survey had been very low it was not considered that this was the fault of the Council. It may have been the case that drivers had chosen not to respond.
- A driver would not incur the fees if a vehicle did not have any serious or multiple faults.
- The Council had a duty of care to drivers but also to the public in terms of safety.
- There had been no significant reduction in the numbers of vehicles failing inspections.
- The number of responses received was incredibly low.
- A significant number of people had attended this meeting; proper consultation should be undertaken it was not the drivers fault that this had not occurred. The drivers did not earn enough to pay fines.
- If a vehicle was fit for use no fee would be incurred. This was a matter of public safety.
- Officers should work with the Associations to try to ensure that future consultations were effective.
- It was acknowledged that drivers provided a responsible service for the district's population and its visitors sometimes under difficult circumstances.
- The Service had said that it would take a reasonable attitude if a driver had a good maintenance log and had tried their best but experienced a problem with failure of an inspection.
- In the future an email address should be available for each driver and it should therefore be possible to undertake direct consultation.

Further to which it was:

Resolved –

- (1) **That the new conditions for private hire driver/operator/proprietor licences and hackney carriage drivers and vehicle licences, as set out in Document "J", be approved with the conditions set out in Paragraphs 3.1, 3.2, 3.3 and 3.5 being implemented with immediate effect and those in Paragraph 3.4 with effect from 1 September 2017.**
- (2) **That the Hackney Carriage and Private Hire Service be requested to notify all drivers directly of any future consultation process, as far as possible, where an email address has been provided to the Service.**

ACTION: Strategic Director, Place

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Regulatory and Appeals Committee.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER