

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee C

Date: Monday, 13th February, 2006

Place: Committee Room, Civic Centre, Southend-on-Sea

Present: Councillor Jarvis (Chairman)
Councillors Baker, Brown, Foster and Mrs Merrison.

In Attendance: C Gabell, S Whiston and R Harris

Start/End Time: 09.30/10.40

****** Part I**

1117 Apologies and substitutions.

Apologies were received from Councillor Mrs Evans.

1118 Declarations of interest.

There were no declarations of interest at this meeting.

1119 Minutes of the Meeting held on Thursday, 4th August, 2005

Resolved:

That the Minutes of the meeting held on 4th August 2005 be confirmed and signed as a correct record.

1120 Request to Operate a Peugeot 807 Multi Purpose Vehicle with Full Seating Capacity

The Committee received a report from the Director of Technical & Environmental Services concerning a request from Mr Webb to waive the Private Hire Licensing Conditions to permit a Peugeot 807 motor vehicle to be licensed as a Private Hire Vehicle for six seats and the carriage of six passengers. Mr Webb was in attendance at the meeting.

Resolved:

1. That the application be refused based on the existing conditions of licence in Appendix 1 of the report being mindful of the ultimate safety of passengers.

2. That the Committee be provided more information about the situation in Colchester and Brentwood in particular, and in due course a further report be provided to the Committee.

1121 Council Procedure Rule 46

Resolved:

That the action taken under Council Procedure Rule 46 be noted.

SOUTHEND-ON-SEA BOROUGH COUNCIL

Licensing Sub-Committee C

Date: Monday, 13th February, 2006

Time: 9.30 a.m.

Place: Committee Room, Civic Centre, Southend-on-Sea

Contact: Tim Row - Senior Committee Officer

Telephone: (01702) 215154 or email: timrow@southend.gov.uk

A G E N D A

****** Part I**

1 Apologies and substitutions.

2 Declarations of interest.

3 Minutes of the Meeting held on Thursday, 4th August, 2005

Minutes attached

4 Request to Operate a Peugeot 807 Multi Purpose Vehicle with Full Seating Capacity

Report of Director of Technical & Environmental Services attached

5 Council Procedure Rule 46

Report attached

To: The Chairman & Members of Licensing Sub Committee C:

Councillor D J Jarvis (Chairman),

Councillors Mrs M F Evans (Vice-Chairman), N M Baker, R A H Brown, M S C Foster,

Mrs T M Merrison, M W Terry

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee C

Date: Thursday, 4th August, 2005

Place: Civic Centre, Civic Suite, Southend-on-Sea

Present: Councillor D J Jarvis (Chairman),
Councillors Mrs M F Evans (Vice-Chairman), R A H Brown, J Clinkscales*, Mrs T M
Merrison and Mrs V F Weaver*
(*Substitute in accordance with Council Procedure Rule 31.B.2)

In Attendance: C Gabell, T Row, A Evans and S Whiston

Start/End Time: 10.00 a.m./11.15 p.m.

**** **Part I**

353 Apologies and substitutions.

Apologies for absence were received from Councillors N M Baker (Substitute: Clinkscales), M W Terry (Substitute: Mrs Weaver) and M S C Foster.

354 Declarations of interest.

No declarations of interest were made at the meeting.

355 Minutes of the Meeting held on Monday, 24th January, 2005

Resolved:

That the Minutes of the meeting held on 24 January 2005 be received, confirmed as a correct record and signed.

356 Minutes of the Meeting held on Monday, 31st January, 2005

Resolved:

That the Minutes of the meeting held on 31 January 2005 be received, confirmed as a correct record and signed.

357 Minutes of the Meeting held on Tuesday, 1st February, 2005

Resolved:

That the Minutes of the meeting held on 1 February 2005 be received, confirmed as a correct record and signed.

358 Review of Hackney Carriage Fares

The Committee received a report of the Director of Technical & Environmental Services concerning an application from the Southend Taxi Drivers' Association for an increase in the Hackney Carriage and Private Hire vehicle fares and charges and other associated amendments. Mr Fryer (Chairman of the Southend Licensed Taxi Drivers' Association) and Mr Chambers (Chairman of the Southend Private Hire Car Association) were in attendance at the meeting.

Resolved:

1. That the application by the Southend Taxi Drivers' Association for an average increase of 4.39% in the Hackney Carriage and Private Hire vehicle fares (as set out in Appendix 1 to the report) be approved and that this increase be offset by a reduction of 10p in the night charge and amendments to the fare chart which includes the withdrawal of the doubling of the night charge over the Christmas and New Year periods.
2. That the amendments to the Christmas/New Year charges proposed by the Southend Taxi Drivers' Association and set out in the report and mentioned in resolution 1 above be approved.
3. That, subject to the amendment listed in resolution 4 below, the fare chart as set out at Appendix 4 to the report be approved.
4. That the definition of the term "luggage" as detailed on the fare charts at Appendix 4 to the report be approved subject to the inclusion of the words "up to a maximum of £10 at the end of the definition within the brackets.
5. That the changes to the fare and extra charges structure be duly advertised.

Southend-on-Sea Borough Council

Report of Director of Technical & Environmental Services
to

Licensing Committee

on

13 February 2006

Report prepared by: Allan Evans

Agenda
Item No.

4

Request to Operate a Peugeot 807 Multi Purpose Vehicle with Full Seating Capacity

A Part I Public Agenda Item

1. Purpose of Report

- 1.1 To consider a request from Mr Leslie Webb to waive the Private Hire Licensing Conditions listed below, which would, if granted, permit a Peugeot 807 motor vehicle to be licensed as a Private Hire Vehicle for six seats and the carriage of six passengers.

Condition 1(b)(i)

Rear seat accommodation of between two and six persons.

Summary of Conditions Footnote

All relevant facts will be taken into account when consideration is given to an applicant for a Private Hire Vehicle Licence and it may be that additional or higher standards will be imposed.

2. Recommendation

- 2.1 That Members give consideration to the application by Mr Webb to licence his vehicle for six seats.
- 2.2 It is recommended that the application be rejected and the higher standards imposed by conditions on the grounds of safety recommendations be upheld in this instance.
- 2.3 For future clarification new Hackney Carriage/Private Hire Vehicle licensing conditions (1(b)(ix) for Private Hire Vehicles and 1(a)(ix) for Hackney Carriage) be agreed as follows: "No seat shall need to be moved or tilted before passengers can enter or exit the vehicle."

3. Background

- 3.1 Licensing Conditions lay down minimum standards for vehicles set by Licensing Committee. These include criteria for suitability, age, comfort and dimensions to ensure that suitable vehicles are used for public and private hire (**Appendix 1**).
- 3.2 Since their inception many years ago, this Authority has adhered to the model standard for safety guidelines and recommendations as set by the National Association of Licensing and Enforcement Officers (**Appendix 2**). Under the section of this model standard for passenger seating, the safety guideline is as follows:

'Passengers need to enter and exit in safety. So as not to impede access, no seat should need to be moved or tilted for this to occur' (**Appendix 2**).

To conform with these guidelines, some Multi Purpose Vehicles (People Carriers) which have a middle row of seats are required to have a seat removed to give free and unrestricted access and egress to the rear seats. This is done for reasons of safety and comfort for fare paying

customers, who are entitled to expect a higher standard than when the vehicle is used for domestic purposes. Furthermore, a two door saloon car cannot be licensed, as to gain access to the rear seats of such a vehicle would require a seat to be tipped up or forward in order to do so. Licensing Condition 1b)(v) (**Appendix 1**) requires a saloon car to have four doors for this purpose.

In addition to the aforementioned model standard and safety guidelines, this Authority's Dial A Ride service operates the same criteria for MPVs, taking its guidelines from the Community Transport Association.

ROSPA (Royal Society for the Prevention of Accidents) recommends the same safety guidelines for Taxis and Private Hire Cars.

3.3 Mr Webb's Peugeot 807 has a middle row of seats and has a seat removed to enable clear access to the rear seats. He was aware of the Council's safety guidelines before purchasing his vehicle, and in order to have it licensed for private hire was happy to remove the seat. He now wishes to have the seat replaced.

3.4 In a survey of Essex Licensing Authorities, information on seating capacity for Multi Purpose Vehicle is as follows:

Require middle row seat to be removed to enable passengers in rear access to a door:

Basildon

Thurrock

Maldon (included in new Licensing Conditions)

Chelmsford (**Appendix 3**)

Tendring

Southend

Braintree

Rochford (**Appendix 4**).

Will licence full seating capacity but with restrictions:

Castle Point (only if rear door is fitted with internal door handle to use as escape door)

Harlow (dependant on vehicle)

Will licence full seating capacity:

Colchester

Uttlesford

Epping Forest

Brentwood

3.5 In 2004, the model standard and safety guidelines were challenged at Magistrates Court in Powys, Wales when Powys County Council refused to licence an MPV due to their Condition of Licence which stated, "All passengers shall have direct access to a door without the need to climb over the rear of any seat or the need to lower the back of any seat."

Both the appellant and the respondent were represented by Counsel and after considering the evidence the court dismissed the appeal with the Licensing Conditions of Powys County Council being upheld (**Appendix 5**).

4. Proposal

4.1 It is proposed that Mr Webb's Peugeot 807 be made available for Members to view at the Civic Centre on the morning of the Committee Meeting to consider the points made from 3.1 to 3.5.

4.2 In light of the evidence detailed at 3. above, it is proposed that Mr Webb's application should be rejected and that a new Condition of Licence (1(b)(ix) for Private Hire Vehicles and 1(a)(ix) for Hackney Carriages) be introduced for future clarification.

5. Background Papers

5.1 Letters of request from Mr Leslie Webb to waive the higher standards imposed.

6. Appendices

6.1 The following appendices are included in this report:

6.1.1 **Appendix 1** - Private Hire Vehicle Licensing Conditions.

6.1.2 **Appendix 2** - National Association of Licensing and Enforcement Officers Model Standard for Taxi and Private Hire Licensing (extract - Passenger Seating).

6.1.3 **Appendix 3** - Chelmsford Borough Council Pre Licensing Criteria.

6.1.4 **Appendix 4** - Rochford District Council Pre Licensing Conditions and covering e mail.

6.1.5 **Appendix 5** - Report submitted to Powys County Council Licensing Committee following Magistrates Court appeal.

**NATIONAL ASSOCIATION OF LICENSING AND ENFORCEMENT
OFFICERS.**

MODEL STANDARD

FOR

TAXI AND PRIVATE HIRE LICENSING

2004

Appendix 2

** A fire extinguisher should be carried in the vehicle to allow drivers to extinguish small fires.

** The extinguisher should not be located in the passenger compartment where it may cause injury or roll under the pedals, but kept secure in the boot of the vehicle.

** To extinguish fires most commonly encountered in vehicles, the extinguisher should be either a one kilogram dry powder, or a one litre AFFF, both types should have gauges to show the state of charge, and should be manufactured to satisfy relevant BSEN accreditation.

FIRST AID KIT

** As part of Health and Safety at Work legislation, a first aid kit should be carried in the vehicle to enable the driver to administer basic first aid to himself only.

SPARE WHEEL

** A spare wheel should be carried in the vehicle in the allocated place.

** This should not be of the space saver type due to the speed and distance limits imposed on this type of emergency wheel.

** The spare wheel must be of the same construction and size as the road wheels.

PASSENGER SEATING

** A vehicle can only be licensed to carry up to a maximum of eight passengers. Any licence issued relates to a number of persons to be carried regardless of weight, age, or size, and to exceed that number is an offence. Remember, babies and young children are persons for the purposes of this licence.

** Some purpose built vehicles can carry up to eight passengers including those seated in wheelchairs. In this case each seat, and person seated in a wheelchair, count in respect of seating capacity.

** All seats should be secure and of a size to ensure passenger comfort and safety. Each seat must be fitted with an approved seat belt.

** If a vehicle is manufactured to carry more than eight, and under sixteen, passengers, it should not be licensed unless the presenter can supply documentation to show that the conversion to an eight seat vehicle, including any wheelchair provision, has not compromised the 'vehicle type approval'.

** Any vehicle not originally designed for the carriage of passengers should not be licensed unless it has been certified to 'Small Volume Vehicle' testing standards.

** Passengers need to be able to enter and exit in safety. So as not to impede access, no seat should need to be moved or tilted for this to occur.

Appendix 3

Hackney Carriage and Private Hire Vehicle

PRE LICENSING CRITERIA

Detailed below is a summary of the criteria relevant to vehicles presented for licensing as a hackney carriage or private hire vehicle, except in respect of limousines, for which a different set of criteria have been adopted. (Vehicle proprietors should familiarise themselves with the full details contained within the byelaws and the relevant legislation.)

Other than with the consent of the licensing authority all vehicles (except limousines) submitted for licensing will be:

1 GENERAL

- a) In respect of hackney carriage vehicle licences numbered 01-85 and all private hire vehicle licences, such vehicles shall be no more than 3 years of age from the date of first registration, (see note 1 below).
- b) In respect of hackney carriage licences numbered 100 onwards, any vehicle presented for licensing for the first time shall be first registered to the applicant and, in any case, no more than one year old.
- c) No vehicle shall be licensed once it is more than 10 years old, from the date of first registration, (see note 1 below)
- d) In respect of hackney carriage vehicle licences numbered 80 onwards, all vehicles presented for licensing will be accessible to the disabled and side loading.
- e) The vehicle shall be in a satisfactory mechanical order and body condition and in operational order in all respects. The vehicle is to be either:
 - A saloon, hatchback, estate vehicle or people carrier type vehicle, which is to the manufacturers, unaltered specification; or
 - A purpose built vehicle or disabled accessible vehicle.
- f) All vehicles shall be right hand drive.
- g) A private hire vehicle shall not be of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage.

2 DOORS

- a) The vehicle shall have at least two doors for the ingress and egress of passengers and a separate door for the driver.
- b) In respect of doors, which open outwards, these must open to an angle of at least 60 degrees.

3 SEATS

- a) The vehicle shall:
 - Have seats of a minimum width of 17 inches (43.2cm) per person (except where the vehicle is individually approved by the licensing authority).

- b) In the event of the vehicle being a people carrier type vehicle or a mini bus:
- The seating configuration in the passenger area (behind the driver), shall be such that no person for the purpose of ingress or egress of the vehicle shall have to move or dismantle any seat or other obstruction or manoeuvre over or round any other passenger or article carried in or on the vehicle or which is fitted so that it forms part of the vehicle. In cases where this is not attainable the seat in the centre row of the vehicle and adjacent to the NEAR SIDE door of the vehicle shall be PERMANENTLY removed.

4 LUGGAGE

- a) The vehicle shall:
- Be capable of accommodating a wheel chair either constructed or dismantled in a reasonable manner
 - Be capable of carrying a reasonable quantity of luggage in a safe, secure manner
 - In the event of the vehicle being a hatchback or estate vehicle it shall be fitted with a guardrail of an approved construction to separate the luggage area from the passenger compartment.

5 GLASS

- a) The vehicle will be fitted with glass meeting the following Visible Light Transmission (V.T.L.) standards:
- Front side glass: 70% minimum
 - Windscreen glass: 75% minimum

6 TAXI METER

- a) A hackney carriage will be fitted with an electric taximeter which shall be set at the rate set by the Authority and which has been certified and sealed by the Authority.
- b) No person shall, without reasonable cause, tamper with or permit any person to tamper with, any taximeter with which the carriage is provided or with the fittings or seat affixed there to.

7 LIVERY

- a) In respect of hackney carriages, the vehicle is required to be black in colour (see note 2 below)

8 ROOF SIGNS

- a) All Hackney carriages, except in the case of a London Style taxi, will display a roof sign which is white in colour showing when illuminated, a white light to the front and a red light to the rear. It shall be of a minimum size of 600mm (24 inches) in length and 150mm (6 inches) in height bearing the word 'TAXI' in black letters to the front and rear. The light must be capable of being illuminated when the vehicle is plying for hire in its controlled area and work in conjunction with the meter fitted to the vehicle.
- b) There shall be displayed on a Hackney Carriage vehicle, in the front windscreen facing forward in a conspicuous, unobstructed position and working in conjunction with the taxi meter and roof light fitted to the vehicle, an electrically lit sign with the words 'FOR HIRE' thereon.
- c) Private hire vehicles are not permitted to affix a roof sign, for any purpose, without the prior consent of the licensing authority.

9 DOCUMENTATION

- a) The vehicle proprietor must submit the following documents prior to the issue of the licence; the documentation must be current at the time the licence commences:
- Insurance certificate or cover note that expressly indicates ON RISK cover for 'hire and reward'. This may be produced after the vehicle has satisfactorily passed its initial test of suitability;
 - Mechanical inspection certificate
 - A Department of Transport Test certificate as required by the Road Traffic Act. N.B. under Section 47 Road Traffic Act 1988, a hackney carriage is required to be tested not more than 1 year from the date of first registration.
 - A current vehicle excise licence.
 - Proof of ownership of the vehicle by means of a bill of sale or hire purchase agreement; or
 - The vehicle registration document showing the current owner's name and address

10 MISCELLANEOUS

- a) The vehicle will be equipped with an effective fire extinguisher.
- b) The vehicle shall be fitted with a spare wheel that is in a serviceable condition at all times.
- c) No advertising information may be displayed on the front doors of any licensed vehicle (see note 3 below), or on the front or rear screen of the vehicle. No advertising shall be displayed anywhere else on or in a licensed vehicle without the consent of the licensing authority.
- d) A vehicle being licensed as a hackney carriage shall:
- Be of such design that the driver can verbally communicate with the passengers being carried there;
 - Be fitted with an interior light for the use of any person being carried in the vehicle and capable of illuminating the interior thereof;
 - Be fitted with flooring consisting of proper matting carpet or other suitable material;
 - Be fitted with cushioned seats, the upholstery of which is free from splits, cuts, holes or other damage
 - Provide a means of opening or closing not less than one window on each side of the vehicle.
 - Have the roof covered and kept watertight.
 - Be fitted with adequate seat belts for use by persons being carried in the vehicle.

A proprietor shall be familiar with and at all times comply with the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 as the same may be amended and all the regulations and Bylaws made by the Council and all other relevant statutory provisions relating to hackney carriage and private hire vehicles for the time being in force.

Note 1: Criteria 1a and 1c in respect of the age of vehicle to be licensed shall not apply to vehicles currently licensed as private hire vehicles or as hackney carriages on licences numbered 01-85. However, these criteria will apply to any vehicle presented for licensing, as a replacement vehicle, on those licences, after DATE TO BE INSERTED.

Note 2: Criterion 7a in respect of the colour of hackney carriage vehicles shall not apply to vehicles operating under licenses 01-76. However, this criterion will apply to any vehicle presented for licensing, as a replacement vehicle, on those licences, after DATE TO BE INSERTED.

Note 3: Criterion 10c, in respect of advertising on the front doors of a vehicle, does not currently apply to private hire vehicles as they are not required to display door stickers, provided by the Council. It is proposed that this condition should apply to all private hire vehicles at the time of the renewal of the vehicle licence, commencing DATE TO BE INSERTED or by SET DATE.

Appendix 4

From: Jean Read [<mailto:jean.read@rochford.gov.uk>]
Sent: 31 August 2005 16:02
To: Allan Evans
Subject: Pre-Licence Conditions

Hi allan

As requested please find attached a copy of Rochford District Council's Hackney Carriage Vehicle Pre-Licence conditions.

At Rochford District Council, all proprietors were advised that with effect from May 2003, all people carriers would only be licensed for a maximum seating capacity where direct access was allowed to all the seats without moving any part of another.

All those vehicles already licensed would continue to be licensed for the original seating capacity until the end of the licence life, i.e. 10 years. A replacement vehicle would then have to abide by the abovementioned criteria.

I trust this information is of assistance to you.

Regards

Jean

<<Pre-lic HCV Conditions.doc>>

**DIRECTORATE OF FINANCE
& EXTERNAL SERVICES**

**Head of Revenue and Housing
Management**
S.J. Clarkson, IRRV



**Rochford District
Council**

ROCHFORD DISTRICT COUNCIL

PRE-LICENSING STANDARDS FOR HACKNEY CARRIAGES

1. A person being considered for a Hackney Carriage Licence (Plate) on the first and subsequent occasions shall be over 21 years and be vetted by the Criminal Records Bureau so as to satisfy conditions 1.10 to 1.13 of the Hackney Carriage Pre-Licensing Conditions and shall:
 - 1.1. Have a vehicle which is not more than six years old when first licensed, and is not more than ten years old, with the exception of London Type Cab or other wheelchair accessible vehicles which can be up to eight years old and twelve years old respectively.
 - 1.2. Have a vehicle that is right-hand drive in good mechanical order and body condition, and is in full and proper operational order in every respect.
 - 1.3. Have a vehicle which is suitable in type, size and design for use as a Hackney Carriage and according to the manufacturer's unaltered specification has:
 - 1.3.1. Rear seat accommodation for at least 3 persons, with a minimum of 41cm (16") per person.
 - 1.3.2. Separate front seats to accommodate only one person in addition to the driver.
 - 1.3.3. Except with minibuses and similar vehicles, no less than two doors in addition to any door provided for the driver, each adjacent to and allowing direct access to and from the passenger seats.
 - 1.3.4. An overall height of not less than 135cm (53").
 - 1.3.5. A minimum of four doors.
 - 1.3.6. A seat belt for each passenger.
 - 1.4. Submit the vehicle for mechanical inspection when requested and at least:
 - 1.4.1. Upon initial application.
 - 1.4.2. Annually in respect of vehicles up to six years old.
 - 1.4.3. Six monthly in respect of vehicles over six years old and up to ten years old.

1.4.4. Four monthly in respect of vehicles over ten years old defined under condition 1.1.

2. Produce the current Vehicle Inspectorate MOT Test Certificate immediately following each mechanical inspection and upon request.
3. Produce such insurance documents as may be required, specifying that the vehicle is insured for public hire.
4. In respect of every third, sixth, ninth and twelfth licence granted to an individual or company, the vehicle must be compliant with the specification for Wheelchair Accessible Taxis contained in the Disability Discrimination Act, 1995.
5. Produce vehicle registration documents or any other evidence of proprietorship of the vehicle as may be required by the Council.
6. Give two referees as to character who are not related to the applicant and who have known the applicant personally.

NOTE: After the issue of a Hackney Carriage Vehicle Licence, the vehicle may only be driven by a driver holding a current Hackney Carriage Drivers Licence.

Draft

CYNGOR SIR POWYS COUNTY COUNCIL

LICENSING COMMITTEE

12th July 2004

REPORT BY: Group Director of Community Services

SUBJECT: Hackney Carriage Vehicle Licence Condition – Appeal to Magistrates’ Court

REPORT FOR: Information

1. INTRODUCTION

1.1 At the meeting of the Licensing Committee on 8th March 2004, consideration was given to a report concerning the seating arrangements of Multi Purpose Vehicles (MPVs) licensed as hackney carriages, or for private hire. A copy of that report titled, ‘Licensing of ‘People Carriers’ as Taxis’, is attached for reference.

1.2 The report was brought to the Committee at the request of the Brecknockshire Licensing Review Panel, which had earlier refused an application to licence a Seat Alhambra MPV as a hackney carriage for 6 passengers. Instead the Panel granted a licence for 5 passengers in accordance with the Council’s hackney carriage and private hire vehicle conditions. The condition that gave rise to the appeal is set out at 9(j) in Annex B to the attached report and states,

“All passengers shall have direct access to a door without the need to climb over the rear of any seat or the need to lower the back of any seat”.

1.3 The applicant, with the support of the National Private Hire Association, exercised a right of appeal to the Magistrates’ Court.

2. DECISION

2.1 The appellant was represented by counsel, who argued that the condition imposed on his client was unreasonable because it failed to take account of the following:

- i) The type approval given to the vehicle when manufactured;
- ii) The fact that the relevant legislation permits hackney carriages to carry up to 8 passengers;
- iii) The lack of any evidence to justify the alleged safety concerns;
- iv) The fact that absolute safety cannot be achieved by the imposition of this condition;

- v) The engineering implications (if any) of adapting the vehicle. It is submitted that it is for the respondent to satisfy itself (and on appeal the Court) as to the lack of any such implication when resolving to impose the condition.
- 2.2 Counsel for the respondent submitted that the condition was adopted for a legitimate purpose, namely the safety of passengers using hackney carriages. The rationale for the condition was clear. In the event of any accident or emergency, direct access and egress for passengers will promote their safety.
- 2.3 After considering evidence given by the appellant, and by the Environmental Health Manager for the respondent, and examining the vehicle in question, the Court dismissed the appeal.

Recommendation:	Reason for recommendation:
It is recommended that the report be noted.	To draw attention to the outcome of an appeal to Magistrates' Court against a local condition governing hackney carriage and private hire vehicles.

Relevant policy (ies):	
Within policy:	N/A
Within budget:	Y

Contact officer name:	Tel:	Fax:	Email:
Steve Clinton	01938 551246	01938 551248	stevecl@powys.gov.uk

Background papers used to prepare report:

Skeleton Arguments On Behalf of the Appellant and Respondent