

REGULATORY AND APPEALS COMMITTEE

5 SEPTEMBER 2016

Present:

Councillors Dennis (Vice Chairman), Austen and Cook.

Apologies:

Councillors Klinkenberg (Chairman) and Hockin.

Also Present:

Mrs Davies – Solicitor to the Council

Mrs Carpenter – Licensing Officer

Mr Waddams – Senior Arboricultural Officer

Mr McKenzie – Democratic & Electoral Services Officer

Applicants

128. DECLARATIONS OF INTEREST

There were no declarations of interest.

129. TREE PRESERVATION ORDER

Members considered a report which detailed the District of Teignbridge (Land at Greenhill Road) Tree Preservation Order (TPO) 2016 that protected trees within the former Kingsteignton Community Resource Centre, Greenhill Road, Kingsteignton.

The TPO was served on the 18 March 2016. Provisional protection would cease on the 18 September 2016 if it was not confirmed.

At the meeting the Senior Arboricultural Officer submitted that the application site was subject to a planning application for 26 dwellings and associated infrastructure. The trees on the eastern boundary were important as they abutted a main road and provided a natural sound barrier as well as environmental benefits. They collectively had an amenity rating of 17 with 15 being the benchmark for preserving. One letter of objection had been received which suggested that the use of an area order was indiscriminate as it related to good and poor quality trees in addition to highlighting the trees as having a short life span.

The Officer states that whilst individually the trees were of poor quality, as a group they were important and he disagreed with the suggestion of a short life span – with good pruning and management they could be retained for a long time. A woodland designation was more power as it would include trees growing and any planted subsequently.

With planning discussion on going it was possible that all the trees could be removed and be replaced with a landscaped planting scheme. He submitted

REGULATORY & APPEALS (05.09.16)

that he may agree with a proposal to do this but everything would be protected going forward.

Resolved

That the District of Teignbridge (Land at Greenhill Road) Tree Preservation Order (TPO) 2016 is not confirmed.

130. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE EXTENSIONS

Prior to considering this item Members adjourned to inspect the vehicles.

Members considered a report to that details requests to renew and extend two Hackney Carriage vehicle licences and one Private Hire vehicle licence for a further 12 months.

The Licensing Officer advised that all three vehicle licences had been extended previously. Prior to the agenda report being written she had not inspected the vehicles. Upon looking at them prior to the Committee, she made the following observations:

- the Volkswagen Sharan (A) to be in excellent condition both inside and out and had passed its taxi test with no advisories;
- the Ford Tourneo (B) to be in good condition both inside and out and had passed its taxi test with no advisories; and
- the Volkswagen Sharan (C) to be in excellent condition both inside and out and had passed its taxi test with no advisories.

The applicant's representative advised the company felt all three vehicles were in good condition with the company having taken 4 other vehicles off the road that they felt did not live up to the Council's licensing requirements. She advised that the company kept vehicles on the road so long as they were, and it was mechanically sound, to do so.

Resolved

- (a) Request A – that the Hackney Carriage Vehicle Licence extension be granted for a further 12 months subject to a 6 monthly vehicle inspection;
- (b) Request B – that the Hackney Carriage Vehicle licence extension be granted for a further 12 months subject to two 4 monthly vehicle extensions; and
- (c) Request C - that the Hackney Carriage Vehicle Licence extension be granted for a further 12 months subject to a 6 monthly vehicle inspection;

131. EXCLUSION OF THE PRESS AND PUBLIC

The Vice Chairman moved the following resolution:

REGULATORY & APPEALS (05.09.16)

“That under Section 100(A)(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act”.

134. HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE APPLICATION

The Vice Chairman welcomed all those present and introduced the Committee.

The Legal Advisor outlined the procedure of the meeting.

After considering all written and verbal representations the Committee adjourned to consider its decision.

Upon reconvening it was

Resolved

That the Private Hire Drivers Licence application be refused.

Cllr Charlie Dennis
Vice Chairman, Regulatory & Appeals Committee