

PERSONAL – ADDRESSEE ONLY

Wednesday 22April 2009

Dear Mr,

ENVIRONMENT APPEALS PANEL

I write to inform you of the decision of the Environment Appeals Panel that heard your appeal on Monday 20 April 2009 in respect of the Officers decision to enforce the hackney carriage vehicle licence condition with respect of tinted glazing to the rear of your Peugeot estate.

The Panel decided to uphold your appeal. Before making their decision the Panel considered all the facts of the case which were presented, including the following:

1. The information provided by the Head of Licensing as set out in the report and annexes that were sent to you in an Agenda on 9 April 2009.
2. The information and supporting letters submitted by yourself.
3. The representations made by the Head of Licensing including the fact that the rear screen of your vehicle allows 43% of light through while the licence condition states it should allow 70%. He advised that the condition is similar to that of other local authorities.
4. Representations made by you including the fact that the window was fitted as standard to your vehicle and a considerable cost would be incurred by you to change the window and that your vehicle is constructed in such a way that vision through the rear window into the cab of the car would still be obscured even if the glass was not tinted.
5. Having regard to 1 - 4 above, the Panel agreed to uphold your appeal. The reason for upholding your appeal was the Panels acceptance that, taking into account the public safety considerations, the visibility through your vehicles rear window would be no better if glass were fitted that meets the Council's specifications due to the construction of the vehicle. The Panel also recommended that the matter of the tinted window condition be referred back to the Licensing and Regulatory Committee for reassessment in light of vehicles being sold as standard with tinted rear windows.

If you require any further information, please contact Richard Haswell 01904 551515.

Thank you for attending the appeal.

Yours sincerely,

Laura Bootland
Democracy Officer
Democracy Support Group
(01904) 552062