

Please ask for:

Lisa Young

Direct dial:

(023) 9254 5340

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(023) 9254 5587

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Lisa.young@gosport.gov.uk

19 January 2015

S U M M O N S

MEETING: Licensing Board
DATE: 27 January 2015
TIME: 6pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Lisa Young

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Gill) (ex officio)
Chairman of P & O Board (Councillor Hook) (ex officio)

Councillor Allen (Chairman)
Councillor Mrs Morgan (Vice Chairman)

Councillor Ms. Ballard	Councillor Geddes
Councillor Mrs Batty	Councillor Murphy
Councillor Beavis	Councillor Ronayne
Councillor Ms. Diffey	Councillor Scard
Councillor Mrs Forder	Councillor Mrs Searle

FIRE PRECAUTIONS

(To be read by the Chairman if members of the public are present)

In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off or switched to silent for the duration of the meeting.

AGENDA

RECOMMEN
DED MINUTE
FORMAT

PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE
2. DECLARATIONS OF INTEREST

All Members present are reminded to declare, at this point in the meeting or as soon as possible thereafter, any disclosable pecuniary interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETING OF THE BOARD HELD ON 9 DECEMBER 2014(copy herewith)
4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Friday, 23 January 2015. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday, 23 January 2015).

6. APPLICATION FOR THE RENEWAL OF A HACKNEY CARRIAGE VEHICLE LICENCE UNDER EXCEPTIONAL CIRCUMSTANCES
The report advises the Licensing Board of an application to renew and extend an existing Hackney Carriage Vehicle licence for a vehicle that will be more than 8 years old at the time of the renewal and will not meet the Gosport Borough Council Hackney Carriage & Private Hire standard conditions

Sarah
Hardy
5553

7. ANY OTHER ITEMS
which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

AGENDA ITEM NO. 6

Board/Committee:	Licensing Board
Date of Meeting:	27 th January 2015
Title:	Application for the renewal of a Hackney Carriage Vehicle Licence under Exceptional Circumstances
Author:	Licensing Officer
Status: amend as appropriate	FOR DECISION

Purpose

The report advises the Licensing Board of an application to renew and extend an existing Hackney Carriage Vehicle licence for a vehicle that will be more than 8 years old at the time of the renewal and will not meet the Gosport Borough Council Hackney Carriage & Private Hire standard conditions

Recommendation

That the Licensing Board determines the application for the renewal of a Hackney Carriage Vehicle licence in exceptional circumstances and if granted, delegates determination of future renewals of this vehicle to The Head of Environmental Services.

1. Background

- 1.1 Gosport Borough Council as a licensing authority under the Town & Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 is responsible for licensing Hackney Carriage Vehicles. Hackney Carriage Vehicle Licences may be granted in accordance with the Gosport Borough Council's Private Hire and Hackney Carriage conditions.

2 Report

- 2.1 An application to renew a Hackney Vehicle licence for a vehicle that will be more than 8 years old at the time of renewal was received from Mr Karl Smith on 12th December 2014. (Attached as Appendix A). The vehicle for which the application relates to is a Ford Tourneo, registration number HN56 VOO. The current licence for this vehicle expires on 30th January 2015.
- 2.2 The vehicle does not meet the age criteria as laid down in the Gosport Borough Council Hackney Carriage and Private Hire Conditions for renewal applications. The vehicle reached eight years old on 7th November 2014 and the applicant has therefore requested the Board consider this application as an exceptional vehicle

(Attached as Appendix B). The renewal of this vehicle application must be determined at the Licensing Board.

- 2.3 The purpose of any age limit is to try and ensure that the licensed vehicles are as safe, reliable and comfortable as possible. The Licensing Authority must consider any application that falls outside the age policy on its own individual merits.
- 2.4 Mr Smith is requesting the Licensing Authority to depart from this Condition because of the mechanical history of the vehicle. Mr Smith does not hold a stamped service history book from 182,834 miles up to its current mileage which is approximately 400,490; however Mr Smith can provide receipts for parts which have been purchased in order to maintain the vehicle.
- 2.5 The mechanical condition and comfort of the vehicle were found to be satisfactory on inspection and public safety would not be compromised should the board be minded to grant the application.
- 2.6 This vehicle renewal application is being put to the Licensing Board for determination

3 Risk Assessment

- 3.1 If the Council were to refuse the application for the vehicle to be licenced as exceptional circumstances, the vehicle would not be able to operate as a licenced Hackney Carriage Vehicle in the Borough of Gosport.

4 Conclusion

- 4.1 The Council has adopted conditions to ensure the safety of the travelling public in both Hackney Carriage and Private Hire vehicles in the Borough.

Financial Services comments:	
Legal Services comments:	Any person aggrieved by the refusal of the Council to grant a vehicle licence under this section or by any conditions specified in such a licence, may appeal to a magistrates' court.
Service Improvement Plan implications:	None
Corporate Plan:	N/A
Risk Assessment:	Please see paragraph no. 3 in body of report
Background papers:	None
Appendices/Enclosures:	

Appendix A	<i>Application Form</i>
Appendix B	<i>Request for Vehicle to continue to be licenced as a Hackney Carriage Vehicle</i>
Appendix C	<i>Engineers Report</i>
Appendix D	<i>MOT</i>
Appendix E	<i>V5C (Log Book)</i>
Appendix F	<i>Insurance Certificate</i>
Appendix G	<i>Officer Inspection</i>
Appendix H	<i>Vehicle Images</i>
Report author/ Lead Officer:	<i>Sarah Hardy 02392 545553</i>

FAREHAM
BOROUGH COUNCIL



GOSPORT
Borough Council

Working in partnership

Ref. No. H18 (G)	Licence No. 3306
£ 265 251.00	Date
Receipt No. 05/12161	

1. LICENCE DETAILS

Is this application for a HACKNET CARRIAGE-VEHICLE LICENCE or a PRIVATE HIRE VEHICLE LICENCE? **HACKNEY CARRIAGE**

If PRIVATE HIRE, give name of OPERATOR:

If RENEWAL, please state plate number:

18

2. APPLICANT DETAILS

Full name (first names, last name) **Mr Karl John Smith**

Address **44 Park Walk
Fareham**

Postcode **PO15 6NG**

Telephone **07930 635345**

Fax **G**

Email

Other Occupation (if applicable) **3107 843 6607**

Date of Birth **08/04/1973**

3. OTHER PERSONS Full name and address of any person(s) who have financial or business interest in this vehicle (state whether partner, co-owner etc.)

	Status	
	Status	
	Status	

4. VEHICLE DETAILS

Reg. No.	HN56VOO	Date first registered (from registration document)	07/11/2006
Make	Ford	Model	Tourneo
Colour	Silver	Engine Size	2200cc
Vehicle Type <small>est/sal/hatch/limo/novelty</small>		Fuel	D
		No. of passenger seats	
		Weight of vehicle	
MOT Expiry	20/01/2015	Mileage	389550
SVA Issued		Radio Controlled	Y

5. INSURANCE DETAILS (Which is required to cover carriage of passengers for hire)

Name of Insurance Company
Date Policy Expires
Is this a cover note? YES/NO Cover Note Expiry

6. OPERATOR DETAILS:

Operator Licence No.
Business Name
Business Address and Telephone Number

7. DRIVER DETAILS:

Driver Name
Badge Number

DECLARATION

I/We have read the Conditions of Licensing (Form VEH 6/8) and undertake, in the event of a licence being granted, to observe and perform such conditions.

I/We declare that to the best of my/our knowledge and belief the answers given on this application are true.

Signed Date
(applicant)

Signed Date
(co-owner etc., if any)

Data Processing Fair Processing Statement

The information that you provide is used to determine whether or not to grant a vehicle licence. We have a duty to protect the public funds we administer and may use your information for the prevention and detection of fraud. The information may also be used for auditing, monitoring, statistical and other research. Some of the information we hold may be shared with other Council or Government departments, agencies and similar organisations (including law enforcement agencies) to enable them to perform their duties or for comparison purposes. The information we hold about you is normally retained for seven years after the end of the licence period. For further information about the National Fraud Initiative see www.fareham.gov.uk/dpnfi.

Notes:

Please return this form in person to your Licensing Authority at the relevant address below.

For Official Use Only

Registration Document	Current MOT Certificate	Engineers Report	Insurance Documents	Meter Certificate (HC Only)	Processed By (initials)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



Any personal information you have provided, or which has been obtained from other sources, will only be used by the Council. Records will be stored on the computer system and/or paper files and will not be given to third parties unless we are legally obliged to do so.

Fareham Office:

Environmental Health Section, Fareham Borough Council
Civic Offices, Civic Way, Fareham, Hampshire, PO16 7AZ
Tel: 01329 236100
Fax: 01329 550576
Email: regulatory@fareham.gov.uk

Gosport Office:

Environmental Health Section, Gosport Borough Council
Town Hall, High Street, Gosport, Hampshire, PO12 1EB
Tel: (023)9258 4242
Fax: (023)9254 5360
Email: ehs@gosport.gov.uk

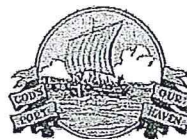
EHVEHRENG

12th December 2014

Application to consider a vehicle over 8 years old

Re ford transit HN56VOO I have owned the taxi from when it was first on the road, my wife's ex bought it then about 3 years ago he sold it to Umit Baren then I drove the bus for about 18 months which I sorted out all the repairs on it services and Tyres and a new turbo and a new fuel pump and new injectors and a re-spray at a cost of about 11,000 pounds with Labour. When I bought the bus I have maintained it to a very high Standard I have all the invoices, I work in a garage so I do not pay for labour. I feel that my bus has a lot of years left as a taxi, I have it cleaned 2 times a week I do not have any paper work from the last owners but I have the service book that has been stamped up to 182834 miles thank for your time.

Karl Smith plate number 18



Working in partnership

MOTOR ENGINEER'S REPORT ON A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE

A report will not be accepted from a motor engineer associated with the sale of the vehicle.

Vehicle Reg: HNS6V00 Plate No: HC / ~~PHV~~ 18 Year of Manufacture: 2006
 Make & Model: Ford TRANSIT CC: Colour: SILVER
 Chassis/Frame No: WFORXXBDFB643457 Recorded Mileage: 400490

Testable Item	PASS	FAIL	Reasons for Failure and Remarks
Lighting Equipment:			
Front Lamps			
Rear Lamps	///		
Headlamps	///		
Headlamp Aim	///		
Stop Lamps	///		
Rear Reflectors	///		
Direction Indicators / Hazard Lamps	///		
Registration Plate Lamps	///		
Rear fog lamps	///		
Internal Lighting	///		
Steering and Suspension:			
Steering Controls	///		
Steering Mechanism	///		
Power Steering	///		
Transmission Shafts	///		
Stub Axle Assemblies	///		
Wheel Bearings	///		
Front Suspension	///		
Rear Suspension	///		
Shock Absorbers	///		
Wheel Alignment	///		
Brakes			
ABS Warning System/Controls	///		
Service Brake Condition	///		
Parking Brake Condition	///		
Service Brake Performance	///		
Parking Brake Performance	///		
Service Brake Balance	///		

Testable Item	PASS	FAIL	Reasons for Failure and Remarks
Tyres and Wheels			FIAT STONE VAN HAWK RADIAL 195/70/15 O/S/F 6mm NIS/F 6mm. NIS/A 6mm O/S/A 6mm. STEEL STEEL.
Tyre Type and Size	/		
Tyre Condition	/		
Tread Depth	/		
Road wheels	/		
Spare Wheel (type)	/		
Seat Belts			
Security of Mountings	/		
Condition	/		
Operation	/		
General Items			
Fuel Systems	/		
Windscreen Washers	/		
Windscreen Wipers	/		
Horn	/		
Exhaust System	/		
Silencer	/		
Vehicle Structure	/		
Mirrors	/		
Exhaust Emissions	/		
Wiring	/		
Hackney Carriage/Private Hire Items			
Accident Damage / Body Condition	/		
Taxi Roof Lights – H/C ONLY	/		
Engine Noise	/		
Fire Extinguisher	/		
Ancillary Equipment (ramps etc)	N/A		
Any other remarks on condition of items not listed above			

Name of Motor Company: A TO B AUTO'S LTD

Address: 7B ALPHAGE ROAD, GOSPORT,

Vehicle Testing Station No. (if applicable): V108660

Signature of Tester: [Signature]

Name (BLOCK CAPITALS): DEAN UNIAKE

Authentication Stamp (NOT VALID WITHOUT STAMP) Date: 9/12/14

A to B Auto's Ltd
 Mechanical Repairs & MOT's
 Unit 7b, Alphage Road, Gosport, Hampshire, PO12 4DU
 Tel: 02392 523591 • Mob: 07737 257146

MOT Test Certificate



Vehicle & Operator Services Agency

MOT Test Number

89823394349

Make

FORD

Model

TRANSIT

Colour

SILVER

Issuer's name

D. UNIAKKE

Signature of issuer

Expiry Date

DECEMBER 8th 2015
(FIFTEEN)

Additional Information

To preserve the anniversary of the expiry date the earliest you can present your vehicle for test is 09/11/2015

Vehicle Registration Mark

HNS6VOO

Vehicle Identification Number

WF0BXXBDFB6U34507

Country of Registration

GB

Test Class

TV

Odometer Reading and History

09/12/2014:	400490
21/01/2014:	364780
21/01/2013:	328742
18/01/2012:	268192

Issued

09/12/2014 14:44

Inspection Authority

A TO B AUTOS LTD

UNIT 7B

ALPHAGE ROAD

FORT BROCKHURST INDUSTRIAL ESTATE

GOSPORT

PO12 4DU

02392 523591

Test Station

V108660

An executive agency of the

Department for

Transport

Advisory Information

Advisory Items

001 Engine covers fitted obscuring some components in the engine bay

002 Play in steering rack inner joint(s)

About this document

- 1 This document is a receipt style certificate telling you that an MOT Test pass result has been recorded on The Vehicle & Operator Services Agency's (VOSA's) database of MOT Test results; this may be verified at www.direct.gov.uk/yourmotcheck
 - 2 A test certificate relates only to the condition of the components examined at the time of test. It does not confirm the vehicle will remain roadworthy for the validity of the certificate.
 - 3 Check carefully that the details are correct.
 - 4 Whilst advisory items listed above do not constitute MOT failure items they are drawn to your attention for advice only.
 - 5 For further information about this document please visit www.direct.gov.uk/mot or contact VOSA on 0300 123 9000*.
- *Your call may be monitored or recorded for lawful purposes.

UK Registration Certificate

Official use only

4. Vehicle details

A Registration number **HN56 V00** 2 [A.1] Validation character **X** 3

B Date of first registration **07 11 2006**
[B.1] Date of first registration in the UK **07 11 2006**

D.1 Make **FORD**

D.2 Type

Variant **QWFA1A**
Version **EURO4B9AB A**

D.3 Model **TRANSIT 130 9-SEAT FWD**

D.5 Body type **MINIBUS**

[X] Taxation class **DIESEL CAR**

[D.6] Suspension Type

[Y] Revenue weight

P.1 Cylinder capacity (cc) **2198 CC**

V.7 CO₂ (g/km) **215 G/KM**

P.3 Type of fuel **HEAVY OIL**

S.1 Number of seats, including driver **9**

S.2 Number of standing places (where appropriate)

[D.4] Wheelplan **2-AXLE-RIGID BODY**

J Vehicle category **M1**

K Type approval number **e11*2001/116*0282*00**

P.2 Max. net power (kW) **96**

E VIN/Chassis/Frame No. **WF0BXXBDFB6U34507**

P.5 Engine number **6U34507**

F.1 Max. permissible mass (exc. m/c) **2800**

G Mass in service **1877**

Q Power/Weight ratio (kW/kg) (only for motorcycles)

R Colour **SILVER**

O Technical permissible maximum towable mass of the trailer:

O.1 braked (kg) **1900**

O.2 unbraked (kg) **750**

U Sound level:

U.1 stationary (dB(A)) **85**

U.2 engine speed (min-1) **2625**

U.3 drive-by (dB(A)) **73**

V Exhaust Emissions:

V.1 CO (g/km or g/kWh) **0.340**

V.2 HC (g/km or g/kWh)

V.3 NOx (g/km or g/kWh) **0.280**

V.4 HC+NOx (g/km) **0.330**

V.5 particulates (g/km or g/kWh) **0.043**

5. Registered keeper

If any details are wrong enter the correct details in section 6, sign section 8, and return to DVLA

C.4.c - This document is not proof of ownership.

c.1.2 **KARL JOHN**
c.1.1 **SMITH**
c.1.3 **44 PARK WALK**
FAREHAM
PO15 6NG

I

ACQUIRED VEHICLE ON **10 08 2014**

Please write in black ink and CAPITAL LETTERS.

6. New keeper or new name/new address details

Please see section 12

Mr 1 Mrs 2 Miss 3 Please tick ☒ the appropriate box **W** 4

Title (for example, Ms, Rev and so on) or business name:

First names: 5

Surname: 6

For company use only DVLA/DVA Fleet number 7

Date of birth (not required by law) 8 Postcode: 9 Please help us to help you by giving your postcode.

House No: 10

Address: 11

Post town:

New keeper? If so tick this box: **K** 12 Date of sale or transfer: 13

Driving licence number of the new keeper (not required by law)

Present mileage (not required by law) 15

R 16 **S** 17

7. Changes to current vehicle

Only enter corrected or altered details

Wheelplan / Body type 20

VIN / Chassis / Frame Number 21

New revenue weight 22 Date of change 23 Cylinder capacity (cc) 24

No. of seats inc. driver 25 No. of standing places 26 Type of fuel 27

Engine number 28

New colour 29 Date of change 30 CLR

Tax class* **Y** 31 32

*The tax class shown in section 4 can only be changed when taxing. Please apply at your nearest Post Office.

8. Declaration - You MUST sign, date and return this page to DVLA, Swansea, SA99 1BA when you notify any changes

Registered keeper: I declare that the new details I have given are correct to the best of my knowledge.

New keeper: I declare that this vehicle was sold or transferred to me on the date shown in section 6 and my name and address are correctly shown.

Signature:

Date:

Signature:

Date:

Law: If the vehicle is sold or transferred, both the registered keeper and the new keeper must sign this Certificate.

Official use only - Please do not write below this line.

V5C-0414

Doc. Ref. N° **4268 849 6314** **29 09 14**

Des. Codes **1330775320 / 000250** **42**

HN56 V00

X



ISC

34

Official Use Only

Certificate of Motor Insurance

Policy Number: L/WST/MTX/0242340

Name of Policyholder: Karl Smith

Vehicle Registration: HN56VOO

Declared Licencing Authority: Gosport

Effective time and date of commencement for the purpose of the relevant Road Traffic Acts:

Operative Date: 12:00(24hrs) 18 December 2014

Operative Until: 12:00(24hrs) 18 September 2015

PERSONS ENTITLED TO DRIVE AND LIMITATIONS AS TO USE:

<u>Named Driver</u>	<u>Date of Birth</u>
Karl John Smith	08/04/1973

Provided that the person holds a licence to drive the vehicle or has held and is not disqualified from holding or obtaining such a licence.

LIMITATIONS AS TO USE:

Use for the business of the Policyholder as a Public Hire Licence Holder in accordance with local licensing authority requirements including the Carriage of Passengers for Hire and Reward.

Use in connection with the Policyholders business or profession, including Social Domestic and Pleasure purposes.

Excluding:

Use for racing, pacemaking, competitions, rallies, track days, trials or speed tests whether on a road, track, off-road, land prepared for such use or the Nurburgring Nordschleife and whether the event is officially organised or informally arranged, carriage of goods for hire or reward, commercial travelling or any use in connection with the motor trade.

I hereby certify that the policy to which this Certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland, the Isle of Man, the Isle of Jersey, the Isle of Guernsey and the Isle of Alderney. Please see reverse of Certificate for Social, Domestic and Pleasure use in Europe.

Advice to Third Parties: Nothing in this Certificate affects your right as a Third Party to make a claim.
MID Compliance Enquiries: 020 7959 7542



Chief Executive Officer
Tradex Insurance Company Limited. Authorised Insurers

FAREHAM
BOROUGH COUNCIL

Inspection with SHA
15/12/14 at 10am



GOSPORT
Borough Council

Working in partnership

HACKNEY CARRIAGE/PRIVATE HIRE RENEWAL INSPECTIONS

Plate No: 18 Vehicle Reg: HN56 VOO

Owner MR KARL JOHN SMITH

Make & Model: Ford Tourneo

Colour: Silver

Cc 2200 Fuel D

To carry 8

Recorded Mileage: 400490

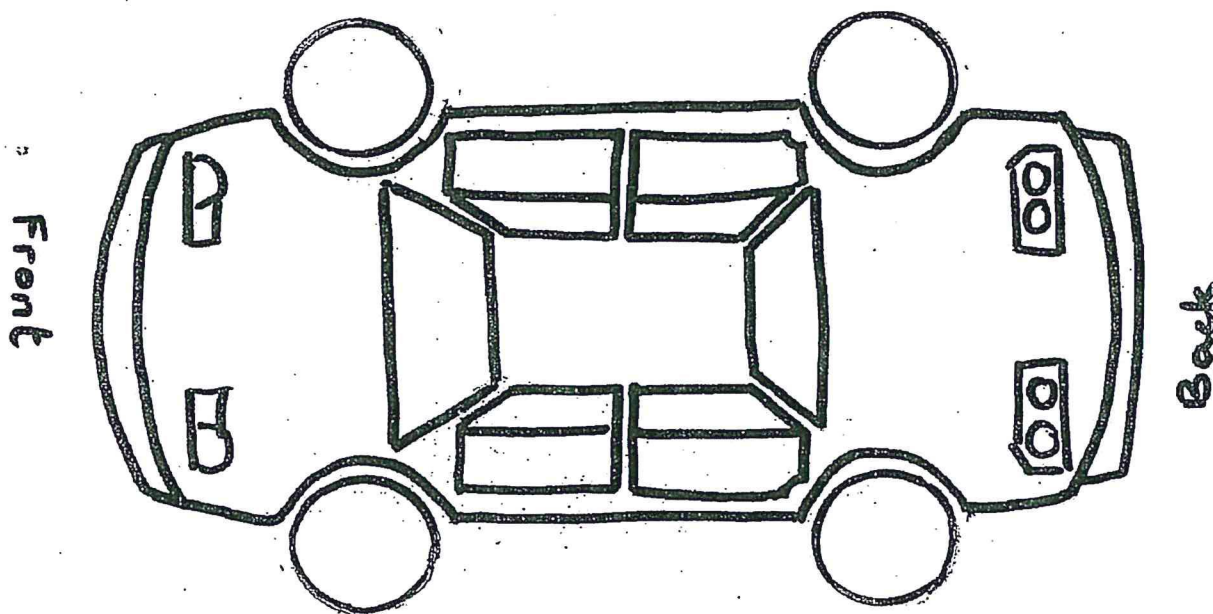
Vehicle type: H Meter Type: SHE

Tick if advisory
letter required

Testable Item		PASS	FAIL	Reasons for Failure and Remarks
General:				
1	Tax Date	1/2/2015		
2	Bodywork (enter defects on diagram over)	✓		
3	Roof Sign-word taxi either side and red light to rear (HC only)	✓		
4	For Hire Sign (FBC HC only)	n/a		
5	Plate placement	✓		
6	No signs on windows (obscuring vision)	✓		
7	Door seals (no tears present)	✓		
8	Interior (clean & tidy, seats not torn)	✓		
9	Seat Belts operational	✓		
10	Tariff Card (HC only)	✓		
11	No Smoking Signs (1 in each compartment)		✗	To be renewed (Driver told to get them ASAP)
12	Pre Booking stickers (GBC PH only)	n/a		
13	Fire Extinguisher	✓		
14	Meters (time is correct)(HC & PH if meter present)	✓		
15	Wheel Base at least 100 inches (FBC)	✓		
16	Rear seats measure 16inches per seat	✓		
Tyres:				
17	Front driver side	✓		
18	Front passenger side	✓		
19	Rear driver side	✓		
20	Rear passenger side	✓		
21	Spare/Space saver/Inflation kit	✓		

This Vehicle was presented in Very good condition and bodywork was unmarked.

Testable Item		PASS	FAIL	Reasons for Failure and Remarks
Lights & Other				
22	Front Side lights	✓		
23	Front Headlights	✓		
24	Front Main beam	✓		
25	Front Indicators	✓		
26	Front Hazard	✓		
27	Front washers / wipers	✓		
28	Front fog lights	✓		
29	Rear Side lights	✓		
30	Brake	✓		
31	Rear Indicators	✓		
32	Rear Hazard	✓		
33	Reversing Lights	✓		
34	Rear fog lights	✓		
35	Number plate light	✓		



1. Scratches
2. Dents
3. Rust
4. Other (please state)

Signature *Hardy*

Date 15/12/14





