

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: Thursday 6th July 2006

**PRESENT: Councillor D Barnes (in the Chair)
Councillors Alcroft, L Barnes, Crosta, Eaton, Lynskey,
Morris, Sandiford, H Steen and Unsworth.**

**IN ATTENDANCE: Susan Chadwick, Licensing Manager
Derek Hamill, Licensing Enforcement Officer
Angela Parkinson, Legal Services Manager
Clare Birtwistle, Principal Legal Officer
Jenni Cook, Committee Officer
Caroline Brennan, Clerical Assistant**

ALSO PRESENT: Licensing Unit Staff and 2 Members of the Public

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Dickinson, Starkey and P Steen (Crosta substituting).

2. MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 23rd May 2006 be signed by the Chair as a correct record.

3. DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

4. URGENT ITEM OF BUSINESS

By virtue of Section 100B(4)(b) of the Local Government Act 1972 the Chair agreed that the following item of business be dealt with at the meeting as a matter of urgency as it would be detrimental to the applicant to wait until the next meeting of the Committee:

Item D4 - application to become a Licensed Hackney Carriage Driver in the Borough of Rossendale – Mr MS.

OPERATIONAL MATTERS

5. PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

The Committee considered a report presented by the Licensing Manager on private hire and hackney carriage vehicle licence conditions and proposed amendments. The Committee were asked to consider that all advertising should

be disallowed on private hire and hackney carriage vehicles and stickers should be placed on the vehicles stating how many passengers the vehicle was allowed to carry.

Resolved:

- 1) That the Committee note the report.
- 2) That no signage or advertising should be permitted on private hire and hackney carriage vehicles other than the taxi company's name and telephone number.
- 3) That stickers be placed on vehicles clearly stating the number of passengers the vehicle is allowed to carry and including all other information currently contained on the plates at the front and rear of the vehicle.
- 4) The decision on the position and design of the stickers would be delegated to the Chair and the Licensing Manager.

6. PRIVATE HIRE AND HACKNEY CARRIAGE LICENCE FEES

The Committee considered the report of the Licensing Manager advising members of the current practice regarding fees for licences pertaining to the taxi trade and to clarify the position regarding refunds. The Committee were asked to resolve that licence fees should not be refunded and that an administration charge should be levied in appropriate cases.

Resolved:

1. That the Committee note the report.
2. That in respect of Hackney Carriage and Private Hire Driver and Vehicle licences, no refunds will be given after the licence had been issued.
3. That in respect of applications for driver's licences, no refund will be given to applicants who appear before the Committee and are refused a licence.
4. That in any other case where an administration cost has been incurred, a fee of 25% of the normal fee would be levied in appropriate cases.
5. "Transfers" of vehicles on vehicle licences will only be permitted to take place once in the 12 month cycle of the licence and the transfer will incur an additional fee of £90.

7. PRIVATE HIRE/HACKNEY CARRIAGE DRIVERS LICENCES – GUIDELINES RELATING TO THE RELEVANCE OF CRIMINAL CONVICTIONS

The Committee considered the report of the Licensing Manager advising members of the current guidelines relating to the relevance of convictions in respect of applications for hackney carriage and private hire driver's licences. The Committee were requested to approve the current guidelines without further amendment.

Resolved:

1. That the Committee note the report.
2. That the current guidelines be approved.

8. EXCLUSION OF THE PUBLIC AND PRESS

Resolved:

That the press and public be excluded from the meeting for the following items of business on the grounds that they involve disclosure of exempt information relating to an individual as defined in Paragraph 1 of Schedule 12A of the Act.

9. APPLICATION FOR CONSIDERATION OF REVOCATION OF A HACKNEY CARRIAGE DRIVERS LICENCE – MR SA

The Chair welcomed the applicant to the meeting. The Licensing Enforcement Officer presented a report detailing the circumstances leading to the application for consideration of revocation of the hackney carriage drivers licence. The Applicant presented his case to the Committee.

The Applicant, the Licensing Manager and the Licensing Enforcement Officer retired from the meeting to enable the Committee to determine the application.

RESOLVED:

1. That the licence be revoked as the Committee considers that the Applicant is not a fit and proper person to hold a hackney carriage licence.

The Applicant was informed of his right of appeal before the Magistrates Court.

10. APPLICATION FOR CONSIDERATION OF REVOCATION OF A PRIVATE HIRE DRIVERS LICENCE – MR MS

The Chair welcomed the applicant to the meeting. The Licensing Enforcement Officer presented a report detailing the circumstances leading to the application for consideration of the private hire driver's licence. The Applicant presented his case to the Committee.

The Applicant, the Licensing Manager and the Licensing Enforcement Officer retired from the meeting to enable the Committee to determine the application.

RESOLVED:

1. That the application for a private hire driver's licence be granted.

11. APPLICANT ABSENCE

RESOLVED:

1. That the following 2 applications be heard by the Committee notwithstanding the absence of the applicants.

12. APPLICATION FOR CONSIDERATION OF REVOCATION OF A HACKNEY CARRIAGE DRIVERS LICENCE – MR BH

The Licensing Enforcement Officer presented a report detailing the circumstances leading to the application for consideration of revocation of the hackney carriage drivers licence.

The Licensing Manager and the Licensing Enforcement Officer retired from the meeting to enable the Committee to determine the application.

RESOLVED:

1. That the licence be revoked as the Committee considers that the Applicant is not a fit and proper person to hold a hackney carriage licence.
2. That the Applicant would be informed of the decision and his right of appeal before the Magistrates Court.

13. APPLICATION TO BECOME A LICENSED HACKNEY CARRIAGE DRIVER IN THE BOROUGH OF ROSSENDALE – MR DAS

The Licensing Enforcement Officer presented a report detailing the circumstances leading to the application for the hackney carriage driver's licence.

The Licensing Manager and the Licensing Enforcement Officer retired from the meeting to enable the Committee to determine the application.

RESOLVED:

1. That the licence be suspended from 7pm on 7th July 2006 until the next Licensing Committee to be held on 31st August 2006 in order that the applicant may be given a second chance to appear before the committee.
2. That Licensing Unit Staff would hand deliver the decision and documentation to Mr Steers and all other prospective employers.
3. That the Committee would be kept informed of the situation.

The meeting commenced at 6.30pm and closed at 8.10pm