

Meeting of: LICENSING COMMITTEE

Time: 6.30pm **Date** 5th March 2024

Venue: Council Chamber, The Business Centre, Futures Park, Bacup, OL13 0BB



Supported by: Carolyn Sharples, Committee and Member Services Manager, 01706 252422,
carolynsharples@rossendalebc.gov.uk

The meeting will also be live streamed at the following link:

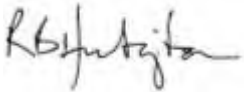
<https://www.youtube.com/channel/UCrLsMDOP7AYxik5pNP0gTIA/streams>

ITEM		Lead Member/Contact Officer
A.	BUSINESS MATTERS	
A1.	Apologies for Absence	
A2.	To approve and sign as a correct record the minutes of the Licensing Committee held on 4 th July 2023.	
A3.	To approve and sign as a correct record the Minutes of the Driver Sub-Committees as follows: a) 6 th July 2023 b) 7 th September 2023 c) 30 th November 2023 d) 22 nd February 2024	
A4.	Declarations of Interest <i>Members are advised to contact the Monitoring Officer in advance of the meeting to seek advice on interest issues if necessary. Members are requested to indicate at this stage, any items on the agenda in which they intend to declare an interest. Members are reminded that, in accordance with the Local Government Act 2000 and the Council's Code of Conduct, they must declare the nature of any personal interest and, if the interest is prejudicial, withdraw from the meeting during consideration of the item.</i>	Clare Birtwistle, Legal Services Manager, 01706 252438, clarebirtwistle@rossendalebc.gov.uk
A5.	Urgent Items of Business To note any items which the Chair has agreed to add to the Agenda on the grounds of urgency.	

The agenda and reports are also available for inspection at the Council's One Stop Shop, The Business Centre, Futures Park, Bacup, OL13 0BB Other formats are available on request. Tel 01706 217777



B.	OPERATIONAL MATTERS	
B1.	Licensing Update	Susan Chadwick Public Protection Manager 01706 238648 susanchadwick@rossendalebc.gov.uk



Rob Huntington
Chief Executive

Date Published: 26th February 2024

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: 4th July 2023

**Present: Councillor Marriott (Chair)
Councillors Adshead, D.Ashworth, Gill, Johnson, Looker, Rigby,
Snowden (sub) and Thompson**

**In Attendance: Phil Morton, Public Protection Manager
Yasmin Ahmed, Principal Legal Officer
Sattar Hussain, Legal Officer**

Also Present: 1 member of the public

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Cheetham (Snowden subbing), Driver (D.Ashworth subbing) and Neal.

2. MINUTES OF COMMITTEES

Resolved:

That the minutes of the Licensing Committee meeting held on the 22nd February 2022 be approved as a correct record.

3. MINUTES OF SUB-COMMITTEES

Resolved:

That the minutes of the following Driver Sub-Committee meetings be approved as a correct record:

- 26th May 2022
- 22nd September 2022
- 15th December 2022
- 25th May 2023

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

6. Proposed review of Hackney Carriage Fares

The Public Protection Manager introduced the report which was to consider the proposed review of hackney carriage fares.

Resolved:

That following the consideration of the report and options, the Licensing Committee agree to approve the proposed fares at option 3 following the statutory advertising requirements and consideration of any subsequent objections.

7. Minor amendments to Taxi Licensing Policy

The Public Protection Manager introduced the report which was to consider minor amendments to Taxi Licensing Policy.

In response to questions from members it was confirmed that:

- In relation to the Euro standard, only a small number of the taxi fleet would be affected as currently vehicles were removed from the fleet at the age of 10 anyway.
- The introduction of CCTV had been beneficial to the taxi trade and well as being good for public safety.

The Chair, Councillor Marriott, moved the recommendation of the report in addition to proposing that the relevant portfolio holder also be consulted on future minor amendments as detailed at 4.13 of the report, which was seconded by Councillor Gill.

Resolved:

1. That the Licensing Committee approve the amendments to the Taxi Licensing Policy.
2. That future minor amendments to the policy be delegated to the Public Protection Manager in consultation with the Chair of the Licensing Committee and the relevant Portfolio Holder.

The meeting commenced at 6.30pm and closed 6.52pm.

CHAIR: _____

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 6th July 2023

Present: Councillors Marriott (Chair), Adshead and Gill

**In Attendance: Sattar Hussain, Legal Officer
Phil Morton, Public Protection Manager
David Hodson, Public Protection Officer
4 Licence Holders
2 Licence Holders' representative/supporter**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. URGENT ITEMS

There were no urgent items of business.

4. EXCLUSION OF PUBLIC AND PRESS

Resolved:

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

5. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE AND PRIVATE HIRE DRIVER'S LICENCE FOR AM (ITEM C1)

The chair welcomed the Licence Holder and their representative to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder, their representative and Public Protection Officers left the room to enable the Sub-Committee to come to a decision.

The Licence Holder, their representative and Public Protection Officers re-entered the room to enable the Sub-Committee to advise of their decision.

Resolved:

That the hackney carriage driver's licence and private hire driver's licence be suspended until the Licence Holder has taken and passed a Council-approved driving test and has provided evidence of this to the Licensing and Enforcement Unit within a period of 3 months (unless they provide evidence that an appointment cannot be obtained). If the Licence Holder fails to provide such evidence within 3 months from today then they will be called back to the Sub-Committee.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles, and the Sub-Committee took into account all the relevant information put before them.

6. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR CR (ITEM C2)

The chair welcomed the Licence Holder and their supporter to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder, their supporter and Public Protection Officers left the room to enable the Sub-Committee to come to a decision.

The Licence Holder, their friend and Public Protection Officers re-entered the room to enable the Sub-Committee to advise of their decision.

Resolved:

That the hackney carriage driver's licence be revoked under Section 61(1) of the Local Government Miscellaneous Provisions Act 1976. The Committee considers that the Licence Holder is no longer a fit and proper person to hold a hackney carriage driver's licence.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR SR (ITEM C3)

The chair welcomed the Licence Holder to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder and Public Protection Officers left the room to enable the Sub-Committee to come to a decision.

The Licence Holder and Public Protection Officers re-entered the room to enable the sub-committee to advise of their decision.

Resolved:

That the hackney carriage driver's licence be revoked under Section 61(1) of the Local Government Miscellaneous Provisions Act 1976. The Committee considers that the Licence Holder is no longer a fit and proper person to hold a hackney carriage driver's licence.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

8. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR WH (ITEM C4)

The chair welcomed the Licence Holder to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder and Public Protection Officers left the room to enable the Sub-Committee to come to a decision.

The Licence Holder and Public Protection Officers re-entered the room to enable the Sub-Committee to advise of their decision.

Resolved:

To take informal action by way of a written warning.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

The meeting concluded at 13:15

Chair:

Date:

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 7th September 2023

Present: Councillors Marriott (Chair), Driver and Neal

**In Attendance: Sattar Hussain, Legal Officer
Phil Morton, Public Protection Manager
1 Applicant
1 Witness
1 Licence Holder's representative
1 Licence Holder**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. URGENT ITEMS

There were no urgent items of business.

4. EXCLUSION OF PUBLIC AND PRESS

Resolved:

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

5. REPORT TO CONSIDER AN APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE FOR JN (ITEM C1)

The Applicant was not in attendance.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Applicant before the Sub-Committee.

Resolved:

- That the application is refused. The Sub-Committee does not consider the applicant to be a fit and proper person to hold a private hire driver's licence.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles,

Private Hire Drivers, Operators and Vehicles, and the Sub-Committee took into account all the relevant information put before them.

6. REPORT TO CONSIDER AN APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR NA (ITEM C2)

The chair welcomed the Applicant and their representative to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Applicant before the Sub-Committee.

The Applicant's representative presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Applicant's witness was called to give verbal evidence and the Sub-Committee asked questions for clarification only.

The Applicant, their representative and the witness and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

The Applicant, their representative, their witness and Public Protection Officer re-entered the room to enable the Sub-Committee to advise of their decision.

Resolved:

- The application is refused. The Sub-Committee has considered written and oral representations made before us today. The Sub-Committee does not consider the applicant to be a fit and proper person to hold a hackney carriage driver's licence.

The Applicant was informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.

The Applicant would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR UAA (ITEM C3)

The chair welcomed the Licence Holder to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

The Licence Holder and Public Protection Officer re-entered the room to enable the sub-committee to advise of their decision.

Resolved:

- That the licence be revoked under Section 61(1) of the Local Government Miscellaneous Provisions Act 1976. We have considered the oral and written representations submitted today and the Committee considers that you are no longer a fit and proper person to hold a Hackney Carriage Driver's Licence.

The Licence Holder was informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

8. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE VEHICLE LICENCE FOR UAA (ITEM C4)

The chair welcomed the Licence Holder to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

The Licence Holder and Public Protection Officer re-entered the room to enable the sub-committee to advise of their decision.

Resolved:

- That the licence be revoked under Section 61(1) of the Local Government Miscellaneous Provisions Act 1976. We have considered the oral and written representations submitted today and the Committee considers that you are no longer a fit and proper person to hold a Hackney Carriage Vehicle Licence.

The Vehicle Licence Holder was informed of their right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter upon them.

The Vehicle Licence Holder would be informed of the reason for the council's decision in writing.

The meeting concluded at 12:45

Chair:

Date:

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 30th November 2023

Present: Councillors Marriott (Chair), Cheetham and Gill

**In Attendance: Sattar Hussain, Legal Officer
Yasmin Ahmed, Principal Legal Officer
Susan Chadwick, Public Protection Manager
Marcus Asquith, Public Protection Officer
1 Applicant
1 Licence Holder
Licence Holder's Representative**

BUSINESS MATTERS

- 1. APOLOGIES FOR ABSENCE**
There were no apologies for absence.
- 2. DECLARATIONS OF INTEREST**
There were no declarations of interest.
- 3. URGENT ITEMS**
There were no urgent items of business.
- 4. EXCLUSION OF PUBLIC AND PRESS**

Resolved:

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

5. REPORT TO CONSIDER AN APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE FOR SD (ITEM C1)

The Chair welcomed the Applicant to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Applicant before the Sub-Committee.

The Applicant presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Applicant, Public Protection Manager and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

The Applicant, Public Protection Manager and Public Protection Officer re-entered the room to enable the Sub-Committee to advise their decision.

Resolved:

That the application be refused. The Sub-Committee did not consider the applicant to be a fit and proper person to hold a Private Hire driver's licence.

The Applicant was informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.

The Applicant would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles, and the Sub-Committee took into account all the relevant information put before them.

6. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR AH (ITEM C2)

The Chair welcomed the Licence Holder and their representative to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder, their representative, Public Protection Manager and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

The Licence Holder, their representative, Public Protection Manager and Public Protection Officer re-entered the room to enable the Sub-Committee to advise their decision.

Resolved:

The Licence Holder's Private Hire driver's licence be suspended until a Council-approved driving test is taken and passed and written evidence of this is provided to the Licensing Unit.

The Licence Holder was informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR AH (ITEM C3)

The Chair welcomed the Licence Holder and their representative to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder, their representative, Public Protection Manager and Public Protection Officer left the room to enable the Sub-Committee to come to a decision.

The Licence Holder, their representative, Public Protection Manager and Public Protection Officer re-entered the room to enable the Sub-Committee to advise their decision.

Resolved:

The Licence Holder's Hackney Carriage driver's licence be suspended until a Council-approved driving test has been taken and passed and written evidence of this is provided to the Licensing Unit.

The Licence Holder was informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

The meeting concluded at 11:30am

Chair: _____

Date: _____

MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)

Date of Meeting: 22nd February 2024

Present: Councillors Marriott (Chair), Gill and Thompson

**In Attendance: Sattar Hussain, Legal Officer
Susan Chadwick, Public Protection Manager
1 Applicant
1 Licence Holder
Applicant's Representative
Licence Holder's Representative**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. URGENT ITEMS

There were no urgent items of business.

4. EXCLUSION OF PUBLIC AND PRESS

Resolved:

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

The Chair agreed to amend the order of the items.

5. REPORT TO CONSIDER AN APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR JI (ITEM C4)

The Chair welcomed the Applicant and their representative to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Applicant before the Sub-Committee.

The Applicant/Applicant's representative presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Applicant, their representative and the Public Protection Manager left the room to enable the Sub-Committee to come to a decision.

The Applicant, their representative and the Public Protection Manager re-entered the room to enable the Sub-Committee to advise of their decision.

Resolved:

That the application be granted. The Sub-Committee did consider the applicant to be a fit and proper person to hold a Hackney Carriage Driver's Licence.

The Applicant was informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.

The Applicant would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles, and the Sub-Committee took into account all the relevant information put before them.

6. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR SI (ITEM C5)

The Chair welcomed the Licence Holder and their representative to the Sub-Committee.

The Public Protection Manager outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Licence Holder/Licence Holder's representative presented their case to the Sub-Committee.

The Sub-Committee members asked questions for clarification purposes only.

The Licence Holder, their representative and the Public Protection Manager left the room to enable the Sub-Committee to come to a decision.

The Licence Holder, their representative and the Public Protection Manager re-entered the room to enable the Sub-Committee to advise of their decision.

Resolved:

The Licence Holder's Hackney Carriage driver's licence be revoked under Section 61(1) of the Local Government Miscellaneous Provisions Act 1976. The Committee considers that the Licence Holder is no longer a fit and proper person to hold a hackney carriage driver's licence.

The Licence Holder was informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing

of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

7. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE VEHICLE LICENCE HELD BY UAA (ITEM C3)

The Committee resolved that this application would be decided in the absence of the Licence Holder.

The Public Protection Manager outlined the relevant information, which applied to all confidential applications.

The Public Protection Manager presented the report and detailed the circumstances that had brought the Licence Holder before the Sub-Committee.

The Public Protection Manager left the room to enable the Sub-Committee to come to a decision.

The Public Protection Manager re-entered the room to enable the Sub-Committee to advise of their decision.

Resolved:

That the hackney carriage vehicle licence be revoked under Section 61(1) of the Local Government Miscellaneous Provisions Act 1976. The Committee considers that the Vehicle Licence Holder is no longer a fit and proper person to hold a Hackney Carriage Vehicle Licence.

The Licence Holder would be informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

8. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR BK (ITEM C1)

The Licence Holder was not in attendance and the Sub-Committee agreed to defer the matter until a subsequent hearing could be arranged.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the

conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

9. REPORT TO CONSIDER THE REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE FOR MS (ITEM C2)

The Licence Holder was not in attendance and the Sub-Committee agreed to defer the matter until a subsequent hearing could be arranged.

The Licence Holder would be informed of the reason for the Council's decision in writing.

Reason for Decision

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the Sub-Committee took into account all the relevant information put before them.

The meeting concluded at 11:45am

Chair:

Date:

Subject:	Licensing Update	Status:	For Publication
Report to:	Licensing Committee	Date:	5 th March 2024
Report of:	Public Protection Manager	Lead Member:	Planning, Licensing and Enforcement
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: No	Attached: No	No
Biodiversity Impact Assessment:	Required: No	Attached: No	No
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1. RECOMMENDATION

1.1 That members note the contents of this update report.

2. EXECUTIVE SUMMARY

- Rossendale continues to operate a hackney fleet proportionate to the population of the Borough.
- Monitoring of licensed premises under the Licensing Act 2003 continues.
- Regard to the Gambling Act objectives remains to be considered.
- Animal Licensing unified various pieces of legislation and received no additional funding from central government.

3. DETAILS

Taxi's and Private Hire

Rosendale continues to operate a hackney fleet which is proportionate to the population of the Borough. There are 177 licensed vehicles and 240 licensed drivers.

Vehicles are inspected regularly both during their formal tests every 6 months and on an ad hoc basis by licensing officers on the streets. As a result of the proportionate fleet size, officers can ensure that vehicles and drivers who work locally are subject to regular compliance inspections.

Drivers and vehicles are regularly referred to the sub-committee for application decisions and reviews of licences where appropriate.

Members of the trade have requested that vehicle age limits be reviewed along with the exceptional vehicle policy and driver medicals. These are matters that will be investigated and a report brought back to the committee for consideration by members once the preparatory work has been completed.

Premises Licensing

There are around 274 licensed establishments in the Borough which includes those operating under Club Premises Certificates.

Work continues to ensure that all licensed premises are operating within the terms of their licences.

Over the last 12 months, there have been 4 licensing hearings. These amounted to 1 revocation, 1 grant, 1 refusal of a transfer and 1 suspension of licence.

Licensing officers will continue to act without favour or prejudice in considering such applications, but must remain within the framework of the law when dealing with potentially contentious issues.

Gambling

The Gambling Act 2005 states that Licensing Authorities must have regard to the licensing objectives as set out in the Act.

The Licensing Objectives are:

- ✓ preventing gambling being a source of crime or disorder;
- ✓ being associated with crime and disorder or being used to support crime;
- ✓ ensuring gambling is carried out in a fair and open way; and
- ✓ protecting children and other vulnerable persons from being harmed or exploited by gambling.

There are 4 betting shops in the Borough. The largest part of Gambling for this Authority remains small society lottery registrations which amount to 58.

Animal Licensing

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into effect on 1st October 2018. The regulations unified and updated a number of current licensing acts. Unfortunately, extra funding was not provided to local council's to deal with the increase in work required to administer the new regime and this remains a challenge to deal with.

Inspectors must be qualified to Level 3 certificate in Inspecting licensable activities involving animals in order to conduct inspections at such premises. There is a shortage of qualified people and inspections for the simplest of activities can take 1.5 hours excluding a review of all necessary paperwork, policies and procedures. This course involves a mandatory practical session which is typically held at Heathrow Airport.

There are currently around 35 licensed premises including those due to be inspected as part of the new application process.

4. RISK

There are no specific risk issues for members to consider arising from this report.

5. FINANCE

All financial implications are noted in the report.

6. LEGAL

All legal matters are covered within the body of the report.

7. POLICY AND EQUALITIES IMPLICATIONS

All policy or equality implications are noted in the report.

8. REASON FOR DECISION

Members should note the contents of the report.

No background papers