

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: Monday 6th August 2007

**Present: Councillor Steen (in the Chair)
Councillors A Barnes, L Barnes, Cheetham, Dickinson,
Eaton, Farquharson, Morris, Pilling, Sandiford, Unsworth,
Wilson**

**In Attendance: T Brzozowski, Licensing Manager
S Bithell, Senior Solicitor
J Cook, Committee Officer
D Dobson, Senior Licensing Enforcement Officer**

Also Present: 4 Members of the Taxi Trade

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor C Gill and Councillor P Gill.

2. DECLARATIONS OF INTEREST

Members of the Committee were asked to consider whether they had an interest in any matters to be discussed at the meeting, however no declarations of interest were made.

3. MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 4th June 2007 be signed by the Chair as a correct record.

OPERATIONAL MATTERS

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 information had appeared in the local press which required clarification and correction.

The Chair referred to an article which had been published in the Lancashire Telegraph, headlined "Cabbie dealt lethal drugs to passenger" which had stated that the individual involved was a Rossendale taxi driver. The Chair asked Members to note that the statement made by the Lancashire Telegraph did not relate to a taxi driver licensed by Rossendale Borough Council. It was further noted that there were no records to indicate that the individual had ever been licensed by Rossendale Borough Council and the Lancashire Telegraph had been asked to correct this information.

The Chair stated that drivers of taxis in the borough are required to be a 'fit and proper person'. He encouraged local people and members of the taxi trade to contact the Licensing Unit and the Police if they had any concerns about the activities of any drivers licensed by the Council. He stated that all concerns would be properly investigated and the appropriate action would be taken.

5. LICENSING UNIT APPOINTMENTS SYSTEM – INTRODUCTION OF A RE-BOOKING FEE

The Committee considered the report of the Licensing Manager in respect of the proposed introduction of an appointments system and re-booking fee. The Licensing Manager stated that the Unit dealt with a wide remit of activities that was not restricted solely to the taxi trade and a more efficient way of managing appointments was required. A re-booking fee of £35.00 for missed appointments was proposed.

In accordance with the Procedure for Public Speaking, Mr Glenn Bulcock spoke on this item and raised concerns about the proposed £35.00 fee.

An amendment was moved that the booking fee should be reduced to £20.

The amendment was put to the vote and declared lost.

The original motion was put to the vote.

Resolved:

1. That a re-booking fee be implemented and payable to the Licensing Unit for:
 - Failure to attend appointments without reasonable explanation
 - Failure to provide the required relevant documents without reasonable explanation
 - Presentation of unfit vehicles for licensing
 - Any other reasonable cause determined by the Head of Planning, Legal and Democratic Services
2. It is proposed that the re-booking fee is £35.00.
3. That the process is monitored and the Licensing Manager will provide an update to the Committee in 6 months time.

6. HACKNEY CARRIAGE RANK – KAY STREET, RAWTENSTALL – INCREASE FROM 4 TO 8 SPACES

The Committee considered the report of the Licensing Manager which detailed the proposal to increase the capacity of the hackney carriage rank in Kay Street, Rawtenstall from 4 to 8 spaces.

In accordance with the Procedure for Public Speaking, Ms Anne Kenyon spoke on this item and supported the proposal.

Resolved:

That the Council be authorised under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to appoint a Hackney Carriage Stand for 8 licensed taxis at Kay Street, Rawtenstall.

7. REGISTRATION OF SECOND HAND DEALERS IN ROSSENDALE

The Committee considered the report of the Senior Licensing Enforcement Officer which outlined the introduction of a registration system for second hand dealers within the borough. It was noted that on the 19th December 1985, Rossendale Borough Council formally adopted Section 26 of the County of Lancashire Act 1984. This Section made it an offence for any dealer in second hand goods carrying on a business in the Borough not to register the business with the Authority. The Licensing Unit had now taken responsibility for registration under the section and a one off registration fee of £75.00 was proposed for new second hand dealers.

In response to a Member query, the Senior Licensing Enforcement Officer confirmed that antique shops were not exempt from the registration requirement.

Resolved:

That a fee of £75 be charged for all new registrations of second hand dealers within the Borough.

8. LICENSING UNIT UPDATE

The Committee considered the report of the Licensing Manager which provided Members with an update of the activities of the Licensing Unit over the past few months which had included a Convictions Amnesty, enforcement exercises, and the upcoming proposals for new license plates and stickers. The report also outlined future activities, which included the implementation of the Disability Discrimination Act 1995, which required compliance by 2015.

In accordance with the Procedure for Public Speaking, Mr P Bennett spoke on the item and the Chair allowed distribution of information which comprised a summary of *Watham v Neath and Port Talbot County Council (2002)*. Mr Bennett was asked to clarify the relevance of the case to the Licensing Unit Update report and he stated that this was in reference to convictions issues raised in the report.

Resolved:

That the content of the report be noted.

The meeting commenced at 6.30pm and closed at 7.25pm