

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: Thursday 27th March 2008

**Present: Councillor Steen (in the Chair)
Councillors Cheetham, Dickinson, Eaton, Farrington, Gill,
Graham (substitute for Sandiford), Lynskey, Morris and
Unsworth**

**In Attendance: Tracy Brzozowski, Licensing Manager
Heather Moore, Committee and Member Services Manager
Clare Birtwistle, Principal Legal Officer
Danny Dobson, Senior Licensing Officer (for part of the
meeting)**

**Also Present: Councillor Neal
Approximately 18 Members of the Taxi Trade and Public**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors A. Barnes, L. Barnes, Crawforth, Pilling and Sandiford.

2. MINUTES

Resolved:

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

3. URGENT ITEM OF BUSINESS

There were no urgent items of business.

4. 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 and the following interests were declared:

Councillors Steen, Gill and Cheetham each declared a personal and prejudicial interest in Minute Number 11 (Application for Hackney Carriage Drivers' Licence – Miss IW) by virtue that they had previously had a working relationship with the applicant as part of their work in the Mayoral Office.

Councillor Dickinson declared a personal and prejudicial interest in Minute Number 11 (Application for Hackney Carriage Drivers' Licence – Miss IW) by virtue that the applicant was a friend.

Councillor Eaton declared a personal and prejudicial interest in Minute Number 7 (Consideration of Revocation of a Hackney Carriage Drivers Licence – Mr MH) by virtue that he had received a ticket from the Parking Attendant that could potentially be called as a witness to the Committee during the consideration of the Application.

Councillor Eaton further declared a personal and prejudicial interest in Minute Number 10 (Consideration of Revocation of a Hackney Carriage Drivers Licence – Mr RR) by virtue that he had submitted the complaint which had resulted in the matter being brought to the Committee for consideration.

OPERATIONAL MATTERS

5. CHAIR'S UPDATE

The Chair reported briefly on the following:

Reduction of Violent Crime Initiative

The Licensing Unit and Lancashire Constabulary are currently looking into a joint initiative to reduce violent crime within Rossendale. The initiative is designed to address specific crimes and to develop solutions to help those who are repeatedly victimised.

Hackney Carriage Rank Enforcement

The Traffic Management Act would come into force on 31st March 2008 and would enable Civil Enforcement Officers (formerly Parking Attendants) to enforce any Hackney Carriage Ranks which were made under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976. The Licensing Unit were currently collating information in respect of current Traffic Orders relating to Hackney Carriage Ranks and would be working closely with the Traffic and Parking Manager to look at enforcement matters.

Hackney Carriage and Private Hire Drivers Annual Licence

The Licensing Manager has sent a letter to all Licensed Hackney Carriage and Private Hire Drivers which are currently licensed to ensure that each driver is aware of the changes which come into force on 1st April 2008.

Consultation/Tariffs

The Licensing Unit is currently in consultation with the taxi trade regarding tariffs. This decision was originally determined at a meeting of the Licensing Committee on 8th October 2007 with implementation being put on hold following concerns raised. A new proposal has been made by the Taxi Associations and following this a consultation document has been issued to all Hackney Carriage Drivers. It is expected that this item will be brought to the next meeting of the Licensing Committee.

Joint Enforcement/Lancashire Constabulary

Details regarding a joint enforcement exercise on Friday 7th March 2008 were distributed to Members for information.

Future Consultation

The Licensing Unit are currently drawing up a consultation document into purpose built taxi's in order to bring these conditions up to date.

Appointments

The Chair reported that applicants should apply 28 days before a licence expires so that sufficient time can be made for appointments.

Thanks of Committee

The Chair reported that Jenni Cook, Committee Officer to the Licensing Committee would be going on maternity leave. The Committee extended thanks to Jenni and wished her and her family well.

6. 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 involve the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

N.B. Councillor Eaton vacated the meeting prior to consideration of the following item of business

7. CONSIDERATION OF REVOCATION OF A HACKNEY CARRIAGE DRIVERS LICENCE – MR MH

The Chair welcomed the applicant and his legal representative to the meeting.

The Licensing Manager then presented a report detailing the circumstances surrounding the proposed revocation of the Hackney Carriage Drivers Licence.

The applicant's legal representative presented information in support of the application.

The applicant, his legal representative and the Licensing Manager left the room to enable the Committee to determine the application.

Resolved:

That the Licence be not revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considered that the Applicant was a fit and proper person to hold a Hackney Carriage Drivers Licence.

8. NEW APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR AH

The Chair welcomed the applicant and his legal representative to the meeting.

The Licensing Manager then presented a report detailing the circumstances surrounding the application for the Hackney Carriage Drivers Licence.

The applicant's legal representative presented information in support of the application.

The applicant, his legal representative and the Licensing Manager left the room to enable the Committee to determine the application.

Resolved:

That the licence be refused under Section 59(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considered that the Applicant was not a fit and proper person to hold a Hackney Carriage Driver's Licence.

N.B. The Senior Licensing Enforcement Officer was in attendance for the remainder of the meeting

9. CONSIDERATION OF REVOCATION OF A HACKNEY CARRIAGE DRIVERS LICENCE – MR SI

The Chair welcomed the applicant and his legal representative to the meeting.

The Licensing Manager then presented a report detailing the circumstances surrounding the proposed revocation of the Hackney Carriage Drivers Licence.

The applicant's legal representative presented information in support of the application.

The applicant, his legal representative and the Licensing Unit Staff left the room to enable the Committee to determine the application.

Resolved:

That the Licence be not revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considered that the Applicant was a fit and proper person to hold a Hackney Carriage Drivers Licence.

N.B. Councillor Eaton made a statement in relation to the following item of business and then vacated the meeting prior to the Committee debating and considering the matter

10. CONSIDERATION OF REVOCATION OF A HACKNEY CARRIAGE DRIVERS LICENCE – MR RR

The Chair welcomed the applicant and his representatives to the meeting.

The Licensing Manager then presented a report detailing the circumstances surrounding the proposed revocation of the Hackney Carriage Drivers Licence.

The applicant's representative presented information in support of the application.

The applicant, his representatives and the Licensing Unit Staff left the room to enable the Committee to determine the application.

Resolved:

That the Licence be not revoked under Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considered that the Applicant was a fit and proper person to hold a Hackney Carriage Drivers Licence.

N.B. Councillors Steen, Cheetham, Dickinson and Gill vacated the meeting prior to consideration of the following item of business

(COUNCILLOR EATON IN THE CHAIR)

11. NEW APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MS IW

The Chair welcomed the applicant and her representatives to the meeting.

The Licensing Manager then presented a report detailing the circumstances surrounding the application for the Hackney Carriage Drivers Licence.

Councillor Neal, the applicant's representative presented information in support of the application.

The applicant, her representatives and the Licensing Unit Staff left the room to enable the Committee to determine the application.

Resolved:

That the licence be granted under Section 59(1) of the Local Government (Miscellaneous Provisions) Act 1976 as the Committee were satisfied that the applicant was a fit and proper person to hold a Hackney Carriage Drivers Licence.

The meeting commenced at 6.30pm and closed at 9.15pm