

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: 23rd June 2008

**Present: Councillor Eaton (in the Chair)
Councillors A. Barnes (substitute for Crawforth), Cheetham,
Dickinson, Evans, Gledhill, Morris, C. Pilling, Unsworth and
Wilson**

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

Also Present: Approximately 12 Members of the Public

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Crawforth (Councillor A. Barnes substituting)

2. MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 27th March 2008 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

No declarations were made.

OPERATIONAL MATTERS

5. CHAIR'S UPDATE

The Chair circulated information on the services provided by the Licensing Unit together with the achievements of the service in 2007/08.

6. HYPNOTISM ACT 1952 (AS AMENDED)

The Committee considered the report of the Executive Director of Regulatory Services which outlined a proposal to adopt the Hypnotism Act 1952 (as amended) as legislation within the Constitution together with delegating to the Licensing Manager to determine any requests/applications under the Act.

Resolved:

That Full Council be recommended:

1. To update the Constitution to include the Hypnotism Act 1952 and to delegate authority to the Licensing Manager to determine requests/applications under the Act.
2. To adopt the proposed conditions to be attached to consents for the performance of stage hypnotism.
3. To approve the application fee of £35.00 and determine this fee as non-refundable.

7. HACKNEY CARRIAGE TARIFFS

The Committee considered the report of the Executive Director of Regulatory Services which detailed proposals to amend the Hackney Carriage tariffs in response to a request from the Taxi Trade.

Representations were made by the Taxi Trade in terms of the options set out in the report.

The Committee requested a copy of the broader costs in respect of the licensing of Private Hire and Hackney Carriage drivers and vehicles. The Licensing Manager reported that consultation was currently ongoing and would be reported at a future meeting of the Committee.

Resolved:

1. That the Committee agree to Proposal 1 set out in the report; thereafter the Licensing Manager be given delegated authority to implement the decision without undue delay by undertaking the statutory advertisement and should any objections be received they be considered by the Licensing Manager in consultation with the Chair of the Committee.
2. That no further increase requests be brought for determination by the Committee for at least six months after the date of implementation.

N.B. The Licensing Admin Officer vacated the meeting prior to consideration of the following items of business

8. 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.

9. NEW APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR NMR

The Chair welcomed the applicant to the meeting.

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

The applicant presented information in support of the application.

The applicant and the Licensing Manager 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.

10. NEW APPLICATION FOR A HACKNEY CARRIAGE DRIVERS LICENCE – MR ZR

The Chair welcomed the applicant and his 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 representative presented information in support of the application.

The applicant, his 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. The applicant was notified of his right of appeal to the magistrates' court, which must be exercised within 21 days of service of the decision letter.

11. DETERMINATION TO RE-INSTATE HACKNEY CARRIAGE DRIVERS LICENCE – MR MS

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

The Licensing Manager then presented a report detailing the circumstances surrounding the determination to re-instate the Hackney Carriage Drivers Licence.

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

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

Resolved:

1. That subject to the receipt of satisfactory information detailed in the medical report, including confirmation that the applicant is fit to drive a Hackney Carriage vehicle, the application be granted.
2. That it be delegated to the Licensing Manager to include a condition for an annual medical until such time as she is satisfied that this is no longer required.

The meeting commenced at 6.30pm and closed at 8.45pm

CHAIR