

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: 24th November 2009

**Present: Councillor Eaton (in the Chair)
Councillors Cheetham, Crawforth, Dickinson, Evans, Gill,
Morris, C Pilling, H Steen and Unsworth**

**In Attendance: Tracy Brzozowski, Licensing and Planning Enforcement
Manager
Daniel Dobson, Principal Enforcement Officer
Noel Scanlon, Principal Legal Officer
Mr Martin, Detective Inspector North Yorkshire Police
Carolyn Sharples, Acting Committee and Member Services
Manager
Michelle Hargreaves, Committee Officer**

Also Present: 9 Members of the Public

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies were submitted by Councillor Alan Neal.

2. MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 29th September 2009 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.

Before moving onto the operational matters, the Licensing and Planning Enforcement Manager and the Principal Enforcement Officer informed the Committee of the following updates:

- Operation Black Hawk – complaints had been received that ‘Hackney Carriages’ were ‘ranking up’ outside of the Queens in Rawtenstall. On Saturday 12th September, officers turned out to monitor the situation. Three notices were prepared and two were successfully issued. The Licensing and Planning Enforcement Manager confirmed a repeat operation was conducted on Saturday 21st November. It was noted that 37 vehicles and drivers were

checked and had all the relevant equipment working except 1 which was in full operation by the end of the evening.

- Road Passenger Transport NVQ Update- the Licensing and Planning Enforcement Manager confirmed that 40 taxi drivers had achieved the level 2 standard NVQ and that a further 48 had been invited to a presentation by Accrington and Rossendale College on Thursday 26th November. Any drivers wanting to sign up to the course in future would sign up 10 at a time, on a 2 month rolling basis.
- Test Purchasing had taken place on Wednesday 18th November in Crawshawbooth and Rawtenstall using a 16 year old female. Six of the seven premises visited failed. Some of the people selling the alcohol were employees; others were Personal License Holders or Designated Premises Supervisors. Offenders are being interviewed and prosecutions considered.
- Following a review of the Taxi Licensing Service, 2 questionnaires had been prepared, one circulated by mail shot to the drivers and proprietors and one is a Customer Survey which will be circulated to as wide an audience as possible. The closing date is on 9th January 2010.

5. 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.

6. REPORT TO CONSIDER THE REVOCATION OF A HACKNEY CARRIAGE DRIVERS LICENCE – SI

The Chairman welcomed the Applicant to the meeting. The Committee Members and Officers introduced themselves to the Applicant and Representative.

The Principal Enforcement Officer presented the report detailing the circumstances surrounding the proposed revocation of the Hackney Carriage Drivers Licence.

The Detective Inspector of North Yorkshire Police detailed information that he wished the Committee to consider.

The Applicant's Representative spoke in favour of the applicant's case.

The Committee Members asked questions of the Licensing and Planning Enforcement Manager, the Principal Enforcement Officer the Detective Inspector and the Applicant for clarification purposes only.

The Applicant, Representative, Detective Inspector and Licensing Unit Staff left the room to enable the Committee to determine the application.

Resolved:

- A decision was made that the licence be revoked. The Committee considered that the applicant was no longer a fit and proper person to hold a Hackney Carriage Driver's Licence.
- That the applicant would be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

Reason for Decision

- The Application had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions and the Committee took into account all the relevant information put before them.

7. REPORT TO CONSIDER AN APPLICATION TO BECOME A HACKNEY CARRIAGE DRIVER – NA

The Chairman welcomed the Applicant to the meeting. The Committee Members and Officers introduced themselves to the Applicant and Representative.

The Licensing and Planning Enforcement Manager presented the report detailing the application for a Hackney Carriage Drivers Licence.

The Applicant presented information in support of his case.

The Committee Members asked questions of the Licensing and Planning Enforcement Manager, the Principal Enforcement Officer and the Applicant for clarification purposes only.

The Applicant and Licensing Unit Staff left the room to enable the Committee to determine the application.

Resolved:

- That the licence be refused. The Committee considered that the applicant was not a fit and proper person to hold a Hackney Carriage Driver's Licence.
- That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

Reason for Decision

- The Application had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions and the Committee took into account all the relevant information put before them.

8. REPORT TO CONSIDER AN APPLICATION TO BECOME A HACKNEY CARRIAGE DRIVER – AH

The Chairman welcomed the Applicant to the meeting. The Committee Members and Officers introduced themselves to the Applicant and Representative.

The Principal Enforcement Officer presented the report detailing the application for a Hackney Carriage Drivers Licence.

The Applicant's Representative presented information in support of his case.

The Committee Members asked questions of the Licensing and Planning Enforcement Manager, the Principal Enforcement Officer and the Applicant for clarification purposes only.

The Applicant, Representative and Licensing Unit Staff left the room to enable the Committee to determine the application.

Resolved:

- That the licence be refused. The Committee considered that the applicant was not a fit and proper person to hold a Hackney Carriage Driver's licence
- That the applicant be notified in writing of the decision and has the right of appeal to the Magistrates' Court, which must be exercised within 21 days of service of the decision letter.

Reason for Decision

- The Application had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions and the Committee took into account all the relevant information put before them.

The meeting commenced at 6.30pm and closed at 8.45pm

CHAIRMAN _____