

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: 30th August 2011

**Present: Councillor Gill (in the Chair)
Councillors Cheetham, Crawforth, Driver (Sub for Steen)
Evans, Farrington, Graham (Sub for Eaton), Marriott, Morris,
Neal and M. Smith.**

**In Attendance: Tracy Brzozowski, Public Protection Manager
Nicola Holmes, Public Protection Officer
Sian Roxborough, Head of Legal and Democratic Services
Michelle Hargreaves, Committee and Member Services
Officer
Councillor Lamb**

Also Present: 4 Members of the Public

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies were submitted on behalf of Councillor Eaton (Graham sub) and Councillor Steen (Driver sub).

2. MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 12th April 2011 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

There were no declarations of interest.

5. PUBLIC PROTECTION UNIT ENFORCEMENT REPORT

The Public Protection Manager outlined the purpose of the report which was to present to the Committee a summary of the enforcement action taken by the Public Protection Unit between 1st January and the 30th June 2011.

The Public Protection Manager outlined the matters which the PPU deal with, some of which were highlighted within the report.

There were a number of joint operations planned with the Police, Trading Standards and Social Services in the early part of the year to address under age sales of alcohol and taxi enforcement but which had to be cancelled for operational reasons

by the Police or budgetary considerations by Social Services. Problems had now eased and there are joint operations planned for the next few months. It was also noted that one of the operations was cancelled due to staff problems at RBC.

It was stated that the 'Rossendale Test' appeared to be running smoothly.

The Public Protection Manager outlined the appendices which were attached along with the report.

The Public Protection Manager recommended that the report be noted.

Mr Lawrie spoke on the item.

Upon hearing the item, the Committee discussed the following:

- Clarification on appendix A
- Any issues raised from Taxi policy workshop group to come back to committee
- Clarification in relation to cautions
- Test purchasing
- Importance of driver badges
- Bylaws

It was noted that the bylaws would be clarified verbally in more detail by the Legal Representative at the next committee meeting in relation to the display of taxi badges.

Resolved:

That the Public Protection Unit Enforcement Report be noted.

6. BANK STREET HACKNEY CARRIAGE STAND

The Public Protection Manager outlined the purpose of the report which was to recommend to committee the appointment of a hackney carriage stand for 8 hackney carriages at Bank Street, Rawtenstall under section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

The hours of operation would be Monday to Sunday 8pm to 3am.

The hackney carriage stand on Bank Street was reduced to a stand for 4 in March 2005, however the stand had always been in operation for 8 vehicles as there was also a stand designated under a Traffic Regulation Order at the same location. This Traffic Regulation Order had now been revoked and due to this it was seen as a good opportunity to regularise the current orders.

Following this information, a proposal was moved and seconded to appoint a hackney carriage stand for eight hackney carriages at Bank Street, Rawtenstall under section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

Resolved:

That a hackney carriage stand for eight hackney carriages at Bank Street, Rawtenstall be appointed under section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

The hours of operation are Monday to Sunday, 8pm to 3am.

All matters relating to the appointment of the hackney carriage stand be delegated to the Public Protection Manager

7. 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.

8. REPORT TO CONSIDER THE APPLICATION OF A HACKNEY CARRIAGE DRIVERS LICENCE – KB

The Chair welcomed the Applicant to the meeting. The Committee Members introduced themselves to the Applicant.

The Public Protection Officer presented the report detailing the proposed application for a Hackney Carriage Drivers Licence.

The Applicant spoke in favour of the case.

The Committee Members asked questions of the Public Protection Manager and the Applicant for clarification purposes only.

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

The Legal Representative clarified relevant issues raised associated with the application to the committee.

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.

The meeting commenced at 6.30pm and closed at 7.30pm

CHAIRMAN
