

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: Thursday 16th March 2006

**PRESENT: Councillor Huntbach (in the Chair)
Councillors Alcroft, Eaton, Entwistle, Neal, Nicholass, J
Pawson, Pilling, Sandiford, H Steen, P Steen, Unsworth**

**IN ATTENDANCE: S Chadwick, Licensing Manager
D Hamill, Licensing Enforcement Officer
Angela Parkinson Head of Legal Services
David Pierce, Environmental Health Officer
E Newsome, Committee Services Manager
J Cook, Committee Officer**

ALSO PRESENT: 8 Members of the Public

APOLOGIES: Councillors Atkinson, D Barnes, L Barnes

BUSINESS MATTERS

1. MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 26th January 2006 be signed by the Chair as a correct record.

2. DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

OPERATIONAL MATTERS

3. ADOPTION OF MODEL LICENCE CONDITIONS RELATING TO ANIMAL WELFARE PREMISES

The Committee considered a report presented by the Environmental Health Officer on the adoption of model licensing conditions for animal welfare in respect of pet shops, animal boarding establishments (dogs and cats), home boarding (dogs and cats), and dog breeding establishments. The Committee was advised that the formal adoption of the model conditions would give the authority an enforceable standard with which to ensure consistency in enforcement with other authorities.

Resolved:

That the Council approve the model licence conditions for each of the types of animal welfare premises identified.

4. CONDITIONS ON SEX ESTABLISHMENTS

Further to the meeting of the Licensing Committee on 8th December 2005, Members considered a report of the Licensing Manager detailing proposed conditions to be attached to a review of the standard conditions and fees applicable to premises licensed under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, relating to sex establishments. The Committee's attention was drawn to Appendix B of the report which contained revised conditions.

Resolved:

That the Licensing Committee approve the conditions for Sex Establishment Licences.

5. INTRODUCTION OF KNOWLEDGE TEST

The Committee considered a report of the Licensing Enforcement Officer to inform Members of the requests from the Licensed Hackney Carriage and Private Hire Trade within Rossendale, to remove the DSA (Driving Standards Agency) driving test as a current condition and replace it with a knowledge test administered by the Council. The Committee were advised of an amendment to the report at point 3.9; which stated that over 50 local authorities had adopted the DSA Test. This number now stood at 64 with a further 5 authorities expected to adopt the test within the next 7 days.

Under the Public Speaking Procedure, Mr G Bulcock, a taxi vehicle operator, asked the Committee to consider the introduction of a Knowledge Test.

The Licensing Enforcement Officer reminded the Committee of the authority's responsibility to ensure that applicants are fit and proper persons and asked the Committee to retain the DSA Test as a license condition.

Resolved:

1. That the Licensing Committee note the report.
2. That the Committee resolve to retain the current DSA test.
3. That further consideration of this issue should not come before this Committee at the request of trade representatives for the next 3 years unless:
 - statutory changes required further consideration or
 - an Officer or Elected Member requested the inclusion on a subsequent agenda.

6. SIX MONTHLY LICENSED HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE EXAMINATIONS

The Committee considered a report of the Licensing Enforcement Officer to inform members of the request from the trade that the six monthly MOT on vehicles under five years of age from the date of first registration to be removed and the trade's wish to have annual tests for the final three years of the licensed vehicle.

An additional paper was introduced by the Licensing Enforcement Officer at the meeting naming two additional authorised testing garages.

Under the public speaking procedure Mr G Bulcock, a taxi vehicle operator spoke on this item.

Under the public speaking procedure, Mrs A Kenyon, a taxi vehicle operator spoke on this item.

Resolved:

1. That the Committee note the report.
2. That the Licensing Committee resolve to retain the requirement for a six monthly MOT on all licensed vehicles.
3. That further consideration of this issue should not come before this Committee at the request of trade representatives for the next 3 years unless:
 - statutory changes required further consideration or
 - an Officer or Elected Member requested the inclusion on a subsequent agenda.

7. LICENSED HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE AGES

The Committee considered a report of the Licensing Enforcement Officer to inform members of requests from the trade to increase the age limits on vehicle licence applications. The Committee were advised that the Licensing Unit had received a request to increase the age limit on first application from 4 years and 364 days to 5 years and 364 days and to retain the current expiry date of eight years.

Under the public speaking procedure Mr G Bulcock, a taxi vehicle operator spoke on this item.

Resolved:

1. That the Licensing Committee note the report.
2. That the age limits on vehicle licence applications for the first issue of a licence be increased to 5 years and 364 days and that the current age for expiry of a licence is retained at 7 years 364 days.

3. That further consideration of this issue should not come before this Committee at the request of trade representatives for the next 3 years unless:
 - a. statutory changes required further consideration or
 - b. an Officer or Elected Member requested the inclusion on a subsequent agenda.

8. MPV (MULTI PURPOSE VEHICLES)

The Committee considered the report of the Licensing Enforcement Officer to inform members of the requests from the trade to change the age limit on MPV's for issue of initial licence to 5 years and 364 days and remain licensed up to 9 years and 364 days of age from the date of first registration.

Under the public speaking procedure Mr G Bulcock, a taxi vehicle operator spoke on this item.

Resolved:

1. That the Licensing Committee note the report.
2. That the current age limit on MPV's be retained at the age limit resolved in Minute 8 for Licensed Hackney Carriage/Private Hire Vehicles at 5 years 364 days to 7 years 364 days.
3. That further consideration of this issue should not come before this Committee at the request of trade representatives for the next 3 years unless:
 - a. statutory changes required further consideration or
 - b. an Officer or Elected Member requested the inclusion on a subsequent agenda.

9. VOTE OF THANKS

Councillor Neal requested that the Committee place a vote of thanks on the record to Councillor Huntbach.

Resolved:

That the thanks of this Committee be placed on record in recognition of Councillor Huntbach in his role as Chair of the Licensing Committee.

The meeting commenced at 6.30pm and closed at 8.05pm