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| Minutes of | Licensing and Public Safety Committee |
| Meeting date | Wednesday, 31 January 2024 |
| Committee Members present: | Councillor Matthew Lynch (Chair), Councillor Michelle Beach (Vice-Chair) and Councillors Mark Clifford, Margaret France, Gordon France, Terry Howarth, Roy Lees, Dedrah Moss, Debra Platt, Jean Sherwood, Craige Southern and Neville Whitham Councillor Christine Heydon in attendance as substitute for Councillor Julia Berry |
| Apologies: | Councillors Julia Berry and Hasina Khan |
| Officers: | Nathan Howson (Licensing Enforcement Team Leader), Tasneem Safdar (Legal Services Team Leader), Sushma Nayee (Solicitor) and Christine Wood (Democratic and Member Services Officer) |

A video recording of the public session of this meeting is available to view on [YouTube here](#)

23.L.7 Declarations of Any Interests

There were no declarations of interest.

Councillor Aaron Beaver advised that he was a taxi driver in a neighbouring authority. Councillor Beaver also advised that he did not have a disclosable pecuniary interest and remained in the meeting.

23.L.8 Public Questions

No public questions had been received.

23.L.9 Minutes of meeting Wednesday, 4 October 2023 of Licensing and Public Safety Committee

Resolved:

That the minutes of the previous meeting held on Wednesday, 4 October 2023 be approved as a correct record for signature by the Chair.

23.L.10 Minutes of the General Licensing Sub-Committee - Thursday, 19 October 2023

That the minutes of the meeting of the General Licensing Sub Committee held on Thursday, 19 October 2023 be approved as a correct record for signature by the Chair.

23.L.11 Amendment of Driver Licence Condition in relation to Lost Property

Nathan Howson, Enforcement Team Leader presented the report of the Chief Executive which requested that the Committee authorise a minor amendment to the Driver Licence conditions and approve a procedure for the management of lost property by the Council.

The Committee was advised that Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 gave the Council power to attach conditions when granting a licence to drive a private hire vehicle.

The Committee was further advised that the Council currently had a standard set of conditions which were attached to every driver licence and that it was the responsibility of a licensed driver to always comply with these conditions. A copy of the current conditions was appended to the report at Appendix 1.

Details of current conditions 16 and 17 in relation to hirer's property were outlined to the Committee as follows:

16. The licensee shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the licensed vehicle for any property which may accidentally have been left therein.

17. The licensee of a licensed vehicle shall if any property is accidentally left therein by any person who may have been conveyed in the licensed vehicle and be found by or handed to him/her carry it, as soon as possible and in any event within 24 hours if not sooner claimed by or on behalf of its owner, to a Police Station in the district in order to receive instructions from the Police regarding its custody.

The Committee was advised that Members of the trade had reported to Council officers that, on attempting to hand in lost property at a Police Station, they had been unable to do so.

Officers had confirmed that Lancashire Constabulary would not take custody of lost property unless that property was of a very high value. Research regarding how other Local Authorities dealt with the issue had revealed that they required lost property to be returned to them, rather than to local police stations.

The Committee was requested to consider the following proposed amended condition 17 as follows:

If any property accidentally left in a private hire vehicle is found by or handed to the licensee, then all reasonable steps must be taken to return the property to its rightful owner. If the property cannot be returned to the owner, then the property should be

brought to the Council Offices as soon as is reasonably practicable and, in any case, within 72 hours of its discovery.

Subject to approval of the amendments to condition 17, it was suggested that the Committee should determine the amendment to be implemented with immediate effect. The Committee noted that amending the standard condition would not affect existing licence holders immediately and that conditions would be imposed only on the grant or renewal of a licence.

It was reported that taking custody of lost property required an authority to hold the item for a reasonable period. To ensure a fair and transparent process for the management of lost property, it was proposed to adopt a procedure for the management of lost property received from licensed vehicles. A copy of the proposed procedure was appended to the report at Appendix 2.

The Committee was advised that as the amendment was minor, formal consultation was not proposed to be conducted and that trade representatives and private hire operators would be informed of the change. Individual licence holders would be informed by written correspondence when a new licence or renewal of a licence was granted.

Responding to queries from Committee Members, Mr Howson confirmed that the Council did not have powers to amend existing licences and that amendments would be implemented when licences were renewed. Mr Howson also confirmed that the Council did not have powers to extend the condition to Hackney Carriage Drivers who were regulated via byelaws.

Mr Howson also confirmed that a register of lost property would be maintained and that if it had not been possible to identify and return to persons owning the property, a donation would be made to the Mayor's Charity.

Subject to approval of the proposed amendment, the revised condition would be communicated to private hire operators and available on the Council's website.

The Chair advised the Committee that he had met with the trade who had welcomed the proposed amendments.

Resolved:

- 1. That the Committee approves the amendment to the Driver Licence conditions proposed in the report, to take effect immediately; and**
- 2. That the Committee notes such an amendment takes effect only on the grant of a new licence or on renewal of an existing licence; and**
- 3. That the Committee approves the procedure for management of Lost Property.**

23.L.12 Any urgent business previously agreed with the Chair

The Chair thanked all Members of the Committee who had attended the recent Licensing SAVI event launch on Thursday, 25 January 2024.

The Chair explained that the scheme was a new Licensing accreditation scheme and was a self-assessment tool for all licenced premises covering all aspects of safety in

the evening and nighttime economy (ENTE). Licensed premises were required to complete an online self-assessment which was then verified by both Police and Licensing and subsequently awarded a star rating.

During the event, Committee Members have visited several venues in Chorley that had been awarded the certificate and star rating.

The Chair requested that all Members of the Committee promote the scheme.

Chair

Date