

Licensing and Public Safety Committee

Wednesday, 31st January 2024, 6.30 pm

Council Chamber, Town Hall, Chorley and YouTube

Agenda

Apologies

1 Declarations of Any Interests

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

2 Public Questions

Members of the public who have requested the opportunity to ask a question(s) on an item on the agenda will be asked to put their question(s) to the Committee. Each member of the public will be allowed to ask one supplementary question within his/her allocated 3 minutes.

<https://democracy.chorley.gov.uk/documents/s67429/Appendix%203%20Standing%20Orders%20Aug%202016.pdf>

3 Minutes of meeting Wednesday, 4 October 2023 of Licensing and Public Safety Committee

(Pages 3 - 6)

4 Minutes of the General Licensing Sub-Committees

a Minutes of meeting Thursday, 19 October 2023 of General Licensing Sub-Committee

(Pages 7 - 10)

5 Amendment of Driver Licence Condition in relation to Lost Property

(Pages 11 - 18)

To receive and consider the report of the Chief Executive.

6 Any urgent business previously agreed with the Chair

Chris Sinnott
Chief Executive

Meeting contact Christine Wood, Democratic and Member Services Officer on or email
Christine.wood@chorley.gov.uk

Electronic agendas sent to Members of the Licensing and Public Safety Committee Councillor Matthew Lynch (Chair), Councillor Michelle Beach (Vice-Chair) and Councillors Julia Berry, Mark Clifford, Margaret France, Gordon France, Terry Howarth, Hasina Khan, Roy Lees, Samantha Martin, Dedrah Moss, Debra Platt, Jean Sherwood, Craige Southern and Neville Whitham.

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[To view the procedure for public questions/ speaking click here and scroll to page 119](#)



Minutes of **Licensing and Public Safety Committee**

Meeting date **Wednesday, 4 October 2023**

Members present: Councillor Matthew Lynch (Chair) and Councillors Aaron Beaver, Mark Clifford, Margaret France, Gordon France, Terry Howarth, Hasina Khan, Roy Lees, Samantha Martin, Dedrah Moss, Debra Platt, Jean Sherwood, Craige Southern and Neville Whitham

Officers: Tracy Brzozowski (Customer Services Manager (Enforcement)), Tasneem Safdar (Legal Services Team Leader), Sushma Nayee (Solicitor) and Nina Neisser-Burke (Democratic and Member Services Officer)

Apologies: Councillor Michelle Le Marinel (Councillor Aaron Beaver in attendance as substitute)

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

23.L.1 Declarations of Any Interests

There were no declarations of any pecuniary interests.

Councillor Aaron Beaver advised that he was a taxi driver in a neighbouring authority. As he did not have a disclosable pecuniary interest and was entitled to remain in the room to participate.

23.L.2 Public Questions

There were no public questions.

23.L.3 Minutes of meeting Tuesday, 4 October 2022 of Licensing and Public Safety Committee

Resolved:

That the minutes of the last meeting be approved as a correct record for signature by the Chair.

23.L.4 Minutes of the General Licensing Sub-Committees**a Minutes of meeting Wednesday, 21 September 2022 of General Licensing Sub-Committee****Resolved:**

That the minutes of the meeting be approved as a correct record for signature by the Chair.

b Minutes of meeting Monday, 27 March 2023 of General Licensing Sub-Committee**Resolved:**

That the minutes of the meeting be approved as a correct record for signature by the Chair.

23.L.5 Minutes of the Licensing Act 2003 Sub-Committees**a Minutes of meeting Tuesday, 18 October 2022 of Licensing Act 2003 Sub-Committee****Resolved:**

That the minutes of the meeting be approved as a correct record for signature by the Chair.

b Minutes of meeting Wednesday, 2 November 2022 of Licensing Act 2003 Sub-Committee**Resolved:**

That the minutes of the meeting be approved as a correct record for signature by the Chair.

c Minutes of meeting Wednesday, 23 November 2022 of Licensing Act 2003 Sub-Committee**Resolved:**

That the minutes of the meeting be approved as a correct record for signature by the Chair.

d Minutes of meeting Wednesday, 15 March 2023 of Licensing Act 2003 Sub-Committee**Resolved:**

That the minutes of the meeting be approved as a correct record for signature by the Chair.

e Minutes of meeting Wednesday, 5 April 2023 of Licensing Act 2003 Sub-Committee

Resolved:

That the minutes of the meeting be approved as a correct record for signature by the Chair.

f Minutes of meeting Tuesday, 9 May 2023 of Licensing Act 2003 Sub-Committee

Resolved:

That the minutes of the meeting be approved as a correct record for signature by the Chair.

g Minutes of meeting Wednesday, 24 May 2023 of Licensing Act 2003 Sub-Committee

Resolved:

That the minutes of the meeting be approved as a correct record for signature by the Chair.

h Minutes of meeting Wednesday, 2 August 2023 of Licensing Act 2003 Sub-Committee

Resolved:

That the minutes of the meeting be approved as a correct record for signature by the Chair.

i Minutes of meeting Thursday, 3 August 2023 of Licensing Act 2003 Sub-Committee

Resolved:

That the minutes of the meeting be approved as a correct record for signature by the Chair.

23.L.6 Consideration of Amendment to Hackney Carriage and Private Hire Licensing Policy

Tracy Brzozowski, Customer Services Manager (Enforcement) presented the report of the Chief Executive which advised the Committee that a request to make an amendment to the Council's current licensing policy had been received from the Trade. The Committee were to determine whether such an amendment be made.

The Committee noted that when the Private Hire and Taxi Policy was approved by the Licensing and Public Safety Committee in 2017, the policy included new requirements

for all vehicles relating to emissions standards, namely, to meet a minimum Euro 5 emissions standard. Section 21 of the Vehicle Type Conditions states:

'd) Require all existing vehicles to comply from 1st January 2024'.

Following the impact of Covid restrictions and the cost of living crisis, correspondence was received from the Trade Association on behalf of its members which requested that the implementation of this policy be delayed by 12 months and the paragraph above be amended to state;

'd) require all existing vehicles to comply from 1st January 2025'.

The Customer Services Manager (Enforcement) was satisfied that legitimate considerations had been presented by the Trade regarding the ability of some licence holders to replace their vehicles in order to comply with the current policy requirements. The amendment would also only have a small negative impact on the council's Air Quality and sustainability targets.

Members noted that the vast majority of the licensed fleet comprised of vehicles which either met or exceeded the Euro 5 emissions standard. However, it had been identified that eight private hire vehicles and four hackney carriage vehicles did not meet this standard. Each of these four hackney carriage vehicles was a wheelchair accessible vehicle. The Committee recognised the significant need for wheelchair accessible vehicles in the borough, and it was considered that the risks associated with not granting the extension would negatively impact the availability of wheelchair accessible vehicles.

The Committee discussed the option of putting a deadline on this extension to not exceed 12 months, on the basis that the Euro 5 rating had been in policy for a substantial period of time and the potential age of vehicles to meet this standard. Reassurances were provided that taxis in the borough were subject to testing twice a year and processes were in place for vehicles that did not meet the required standard. Overall, Members agreed that putting a deadline on the 12-month extension would be unfavourable due to the current state of flux and uncertainty.

Members understood the challenges faced by the Trade and therefore supported the request for an extension.

Resolved (Unanimously):

- 1. To consider the contents of the report and any other comments made,**
- 2. To grant an extension to the Euro 5 Emissions requirement in the Hackney Carriage and Private Hire Licensing Policy for a period of 12 months until 1 January 2025.**

Chair

Date



Minutes of **General Licensing Sub-Committee**

Meeting date **Thursday, 19 October 2023**

Members present: Councillor Matthew Lynch (Chair) and Councillors Aaron Beaver, Margaret France, Craige Southern and Neville Whitham

Officers: Tracy Brzozowski (Customer Services (Enforcement)), Nathan Howson (Enforcement Team Leader (Licensing)), Tasneem Safdar (Legal Services Team Leader), Sushma Nayee (Solicitor) and Nina Neisser-Burke (Democratic and Member Services Officer)

23.5 Declarations of Any Interests

There were no declarations of any interests.

23.6 Procedure

The Chair outlined the hearing procedure that would be used to conduct the meeting.

23.7 Exclusion of the Public and Press

Resolved – That the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

23.8 Determination of whether to waive the requirement for a licence for a sex establishment

On Thursday, 19 October 2023 at 6.30pm a General Licensing Sub-Committee was convened to consider the Determination of Whether to Waive the Requirement for a Sex Establishment.

The Sub-Committee was comprised of Councillor Matthew Lynch (in the Chair), and Councillors Aaron Beaver, Margaret France, Craige Southern and Neville Whitham. The applicant's representative was also present.

The Licensing Enforcement Team Leader was present at the hearing and presented the report of the Deputy Chief Executive indicating that the matter had been referred to the Sub-Committee for determination in accordance with the Local Government (Miscellaneous Provisions) Act 1982.

The Licensing Enforcement Team Leader advised that on 27 September 2023, an application was received for a waiver from the requirement for a sex shop licence. The application related to an online store from which a number of sex articles were sold.

The majority of business was done via drop-shipping however, a small stock was held at the premises. Customers were not permitted to attend the premises, nor were couriers, with distribution carried out by existing staff taking shipments directly to courier depots and/or private delivery. The Sub-Committee were advised that there was no external signage at the premises and no footfall, other than from existing staff members.

The Licensing Enforcement Team Leader referred Members to the issues to consider and explained it was generally accepted that the power to require licensing of sex establishments arose from a need to ensure that such establishments were not located in inappropriate locations, such as in the vicinity of schools or places of religious worship, in order to protect persons from being exposed to inappropriate materials or situations, particularly those under the age of 18 years. However, the Sub-Committee noted that in relation to the operation of the applicant's business, the risk to this principle was very small.

The applicable fee for a sex shop licence was set at £2103 and the maximum period of time a licence could be granted for was one year; therefore, representing a significant burden to the business. The Sub-Committee were to consider whether this small risk and associated large financial cost on the business would make requiring a licence unreasonable and/or inappropriate.

It was also understood that the Council, as the Landlord, was in the process of drafting a lease for the business to occupy the premises. It was understood that this was a six-year lease, however Members were instructed that this was not to influence the Sub-Committee's decision in regards the licence.

In response to questions from Members, the Licensing Enforcement Team Leader clarified that the Council was satisfied that the activity carried out by the business was licensable, but it was for the Sub-Committee to determine whether requiring a licence would be unreasonable and/or inappropriate.

In making his representations, the applicant's representative detailed the operations of the business and outlined how the premises was used. The Sub-Committee were advised that following collection, all deliveries were concealed and only removed from the van when it was parked inside the premises unit. Products would then be checked for any damages at the site before being distributed to courier depots or via private delivery, therefore the products would remain inside the premises for a maximum period of one week.

In response to further questions from Members, the Licensing Enforcement Team Leader supported the idea that the premises could be considered as a trans-shipment/intermediary base, based on how business was operated at the site.

The Licensing Enforcement Team Leader reassured the Sub-Committee that if they chose to waive the licence and there was a future change in circumstance which could then make it reasonable to acquire a licence, then the Council could reconsider this and terminate the waiver at any time, with no right to appeal.

Decision

The Sub-Committee considered all of the documentation and submissions in this matter together with all relevant statutory guidance and **resolved (unanimously) to grant a waiver for the requirement to hold a sex shop licence for a period of six**

year as it deemed it unreasonable and inappropriate to require a licence, having taken into account all the facts in the case, pursuant to paragraph 7(4) and (5) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

The reasons for this decision were:

- 1. The business was online only, with no public access - including no couriers,**
- 2. All deliveries were concealed,**
- 3. Distribution was carried out by existing staff taking shipments directly to courier depots/private delivery,**
- 4. No signage was visible,**
- 5. The risk to young children was very low.**

Chair

Date

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Report of	Meeting	Date
Chief Executive	Licensing and Public Safety Committee	Wednesday, 31 January 2024

Amendment of Driver Licence Condition in relation to Lost Property

Is this report confidential?	No
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Is this decision key?	No
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Purpose of the Report

- To request the Committee authorise a minor amendment to the Driver Licence conditions and approve a procedure for the management of lost property by the Council.

Recommendations

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

Reasons for recommendations

- The condition in its current form is unworkable due to the procedure of Lancashire Constabulary in relation to lost property.

Other options considered and rejected

- Not amend the condition. This option is rejected as it would expose a licensed driver to breaching a condition of their licence through no fault of their own.

Corporate priorities

- The report relates to the following corporate priorities:

Housing where residents can live well	A green and sustainable borough
An enterprising economy with vibrant local centres in urban and rural areas	Healthy, safe and engaged communities

Background to the report

8. Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 give the Council the power to attach conditions when granting a licence to drive a private hire vehicle.
9. The Council currently has a standard set of conditions which are attached to every driver licence. It is the responsibility of a licensed driver to comply with these conditions at all times. A copy of the current conditions is appended at Appendix 1.

Lost Property

10. In relation to Hirer's Property, Condition 16 and 17 state:

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.

11. Members of the trade have reported to officers that, on attempting to hand in lost property at a Police Station, they were unable to do so. Officers have confirmed that Lancashire Constabulary would not take custody of lost property, unless that property had a very high value.
12. Officers have taken views of other Licensing Authorities in Lancashire and it was reported that they require lost property to be returned to them, rather than to local police stations.

Proposed Amendment

13. It is therefore proposed to amend Condition 17 to the following:

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.

14. The Committee should determine when this amendment should take effect from and it is recommended that it takes effect immediately. It should be noted that amending the standard conditions does not affect licence holders immediately; conditions are imposed only on the grant or renewal of a licence.

Consultation

15. As this change is minor in effect, formal consultation is not proposed to be carried out. Trade representatives and private hire operators are to be informed of this change.
16. Individual licence holders will be informed by written correspondence when a new licence or renewal of a licence is granted.

Procedure for Management of Lost Property

17. Taking custody of lost property requires an authority to hold the item for a reasonable period of time. In order to ensure a fair and transparent process for the management of lost property, it is proposed to adopt the procedure contained at Appendix 2.

Climate change and air quality

18. The work noted in this report has no overall impact on the Council's Carbon emissions and the wider Climate Emergency and sustainability targets of the Council.

Equality and diversity

19. There are no equality or diversity impacts on this work.

Risk

- 20. There is a reputational risk to the Council of failure to impose conditions on a licence in a manner which allows compliance by the licence holder.
- 21. In addition, a licence holder who is aggrieved by the decision to impose a condition is entitled to appeal against that decision and so there is a risk of litigation by imposing conditions which do not allow compliance.

Comments of the Statutory Finance Officer

22. There are no direct financial implications arising from this report.

Comments of the Monitoring Officer

23. There are no concerns with what is proposed from a Monitoring Officer perspective. What is proposed is a minor change to an existing condition. Clearly the current wording is not practical any more given the position of Lancashire Constabulary. What is proposed seems to be the best solution in the circumstances. It is difficult to see why any driver or third party would object to this change.

Background documents

There are no background papers to this report.

Appendices

Appendix	Description
Appendix 1	Current Driver Licence Conditions
Appendix 2	Procedure for Management of Lost Property

Report Author:	Email:	Telephone:	Date:
Nathan Howson (Enforcement Team Leader (Licensing))	Nathan.Howson@chorley.gov.uk	01257 515665	12/01/24

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DEFINITIONS

1. "The Council" means the Council of the Borough of Chorley.
 "Identification plate" means the plate issued by the Council for the purpose of identifying a licensed vehicle as a hackney carriage or private hire vehicle.
 "The Proprietor" has the same meaning as in Section 80 of the Local Government (Miscellaneous provisions) Act 1976.
 "The Operator" means a person holding a licence to operate private hire vehicles issued pursuant to Section 55 of the Local Government (Miscellaneous provisions) Act 1976.
 "Taximeter" has the same meaning as in Section 80 of the Local Government (Miscellaneous provisions) Act 1976.

CONVICTIONS

2. The licensee shall notify the Council in writing of any conviction or caution recorded against him/her and/or the imposition of any endorsable or non-endorsable fixed penalty within 7 days of such conviction or caution or penalty being imposed.

DRIVERS

3. The licensee shall not cause or procure or permit any other person to drive a licensed hackney carriage or private hire vehicle of which he/she is in charge except with the consent of the proprietor of the hackney carriage or private hire vehicle respectively.

CONDUCT

4. The Driver shall:
 - (a) Afford all reasonable assistance with passengers' luggage.
 - (b) At all times be clean and respectable in his/her dress and person and behave in a civil and orderly manner.
 - (c) Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
 - (d) Not without the express consent of the hirer, drink or eat in the vehicle.
 - (e) Not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
 - (f) At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he/she is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

IDENTIFICATION PLATE

5. The licensee shall not conceal the exterior identification plate of the vehicle or the details painted or marked thereon, and will keep the identification plate in a clean condition.
6. The plate showing the licence number and the maximum numbers of passengers **MUST** be displayed in the manner prescribed by the Council. This plate should be on the outside of the vehicle and fixed in such a way that any Authorised Officer or Police Constable may, in certain circumstances, remove it.

DRIVERS' LICENCE

7. The licensee shall deposit his licence to drive issued by the Council with the proprietor/operator for which the vehicle is being used during the time it is so used for that proprietor/operator.
8. Drivers licences are issued for a period of 3 years.
9. Every driver of a licensed vehicle must be licensed by the District Council (Section 46 LG(MP)A).

A Council cannot grant a licence unless it is satisfied that the applicant:

- (a) is a 'fit and proper person'.
- (b) has held a full ordinary EU driving licence, for at least 12 months, for motor cars. (It is Council policy that an applicant must be over 21 years of age and must have three years experience driving under a full licence).
- (c) is medically fit to drive a licensed vehicle (Section 51 and 57 LG(MP)A) and has been assessed to DVLA group 2 standards by a doctor that has access to the applicants medical records as necessary.
- (d) has produced an enhanced Disclosure and Barring Service Certificate.
- (e) has passed the Councils knowledge test.
- (f) has successfully completed the training requirements as follows:

All drivers must pass the DVSA Practical Driving Test for Taxis and Private Hire Vehicles or equivalent Council Approved Test. Those that wish to operate a wheelchair accessible vehicle must pass the Enhanced Wheelchair Assessment also.

Safeguarding and CSE Awareness Training.

- (g) submitted a completed application and has paid the relevant fee.

DRIVERS' BADGES

10. The Driver's badge provided by the Council shall be worn by the driver of a vehicle in such position and manner as to be plainly visible.

The badge need not be worn if:

- (a) the vehicle is being used in connection with a wedding or funeral.
- (b) the vehicle is carrying written permission from the Council that the plate need not be displayed (Section 75 LG(MP)A).

On revocation or suspension of the driver's licence, the badge must be returned to the Council on demand (Section 61 LG(MP)A).

PROLONGATION OF JOURNEYS

11. A driver must proceed by the shortest route, subject to the instructions of the hirer (Section 69 LG(MP)A).

ACCIDENTS

12. All accidents, however minor, **MUST** be reported to the owner/proprietor who, in turn, must report the incident to the Council as soon as is reasonably practicable and in any event within 72 hours.

SMOKING

13. It is an offence for the driver or passengers to smoke in a licensed vehicle at any time.

SUSPENSION AND REVOCATION OF DRIVER'S LICENCE

14. The Council may suspend or revoke or refuse to renew any licence on the following grounds:
 - (a) the commission of an offence involving dishonesty, indecency or violence.
 - (b) the commission of an offence under LG(MP)A.
 - (c) any other reasonable cause (Section 61 (LG(MP)A).

DRIVERS OF LICENSED VEHICLES MUST BE LICENSED

15. **Once a vehicle is licensed every driver of that vehicle whether it be used for business or pleasure, must possess a current drivers' licence from the Council who licenses the vehicle.**

HIRERS' PROPERTY

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.

PASSENGERS

18. The licensee shall at all times when a licensed vehicle is hired take all reasonable steps to ensure the safety of passengers converted therein and persons entering and alighting from the licensed vehicle.
19. The licensee shall allow only one passenger to be carried in the front of the licensed vehicle beside the driver.
20. The proprietor/licensee shall not permit the Hackney Carriage/Private Hire Vehicle to be used to carry a greater number of passengers than that prescribed in the licence.

NOTE: It must be remembered that a licence is issued for a maximum number of passengers, be it 4, 5 or 8 (regardless of age or size) and it is an offence to carry more than the number licensed for, (this may also invalidate the vehicle insurance). The allowance of two children under the age of ten being counted as one person is only for the purpose of the fare charged and not for increasing the number of persons being carried as passengers.

'ALL PASSENGERS & DRIVERS MUST COMPLY WITH CURRENT SEAT BELT REGULATIONS'

ANIMALS

21. The licensee shall not permit any animal to ride in a licensed vehicle except an animal in the custody or control of the hirer. The animal shall be conveyed in the rear of the vehicle.
22. The licensee must carry a guide, hearing or other prescribed assistance dog belonging to a passenger, free of charge, unless the driver has a proven medical condition that would preclude such action. Drivers have a responsibility to ensure that they apply for an exemption from the Council, providing the necessary medical evidence for such a request.

CHANGE OF ADDRESS

23. The licensee shall notify the Council in writing of any change of his/her address within 7 days of such change taking place.

RECORD BOOKS & RECEIPTS

24. A record book must be kept at all times in the vehicle to show when a receipt is issued. A receipt must be given if requested and each receipt must show the licence number of the driver, the date and the amount charged.

TOUTING, ETC

25. The licensee shall not while driving or in charge of a licensed vehicle:
 - (a) TOUT OR SOLICIT IN A PUBLIC PLACE ANY PERSON TO HIRE OR BE CARRIED FOR HIRE IN ANY LICENSED VEHICLE OR
 - (b) CAUSE OR PROCURE ANY OTHER PERSON TO TOUT OR SOLICIT IN A PUBLIC PLACE ANY PERSON TO HIRE OR BE CARRIED FOR HIRE IN ANY LICENSED VEHICLE.

In this condition:

"public place" includes any highway and any other premises or place to which at the material time the public have or are permitted to have access (whether on payment or otherwise).

CHEQUES

26. A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

FARES / TARIFF CARDS

27. The licensee shall not demand a fare in excess of that previously agreed between the hirer and the operator at the time of booking. The tariff may vary to that set by the Council, but a Table of Fares **MUST** be clearly displayed for the benefit of passengers.
28. The tariff for Taxis is set by the Council. All tariffs are a maximum, which may not be exceeded. A card showing the tariff **MUST** be clearly displayed in the vehicle.

ILLNESS OR INJURY

29. A Licensee must immediately inform the Council in writing of any deterioration in health or of any injury that would affect the licensee's ability to drive Hackney Carriage or Private Hire Vehicles. (This is in addition to the requirement of Section 94 of the Road Traffic Act 1988 requiring any driver to notify the Secretary of State of any relevant disability).

RADIO SCANNERS AND MOBILE PHONES

30. The driver shall not fit, carry or use any radio frequency scanning apparatus in or on a licensed vehicle.
31. The driver may only use a mobile phone that has single touch or voice activation hand free system.

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Procedure for the Management of Lost Property Recovered from Licensed Vehicles

It is a condition of licence that drivers of licensed vehicles make every reasonable effort to reunite property mistakenly left behind with their rightful owners.

Where a driver is unable to do so, they should bring that property to the Council Offices as soon as reasonably practicable and, in any case, within 72hrs.

Chorley Council accepts no responsibility for private property whilst being conveyed in vehicles licensed by it nor any liability should lost property be returned for some reason to a person who is not its owner (e.g. If a person makes a false representation to us of ownership of property).

On property being brought to the Council, the person so returning the property shall be required to enter the following details into a dedicated register:

- The date it was discovered,
- The date it is being handed in to the Council,
- A brief description of the property, including any distinguishing marks and cash totals,
- The details of the vehicle in which it was discovered, and
- The name and signature of the person returning the property.

Property which is handed in to the Council will be stored in a sealed packet which is signed by the person returning it, the person receiving it and with a unique identifier which corresponds to the register entry. Such items will be kept for a period of three months, after which it will be disposed of.

In order for property to be reclaimed, a detailed description of the item(s) and/or proof of ID (identity), and date that the item was left will be required.

The Council may search an item in order to ensure it is safe to be stored and/ or attempt to identify its owner however, no efforts will be made to identify the owner, over and above those conducted by the person who originally discovered the item.

The Council will not mail/courier or insure during transit any reclaimed found property back to the presumed owner. Property will only be returned to a person on attendance at the Council Offices to allow proper verification of identity/ ownership. The person recovering property will be required to sign the register to confirm receipt of the property.

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