



Licensing and Safety Committee

Agenda and Reports

For consideration on

**Wednesday, 17th October
2007**

In the Council Chamber, Town Hall, Chorley

At 2.00 pm



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Chief Executive's Office

Please ask for: Ruth Hawes
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Date: 8 October 2007

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

LICENSING AND SAFETY COMMITTEE - WEDNESDAY, 17TH OCTOBER 2007

You are invited to attend a meeting of the Licensing and Safety Committee to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 17th October 2007 commencing at 2.00 pm.

AGENDA

1. **Apologies for absence**
2. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial 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.

3. **Minutes (Pages 1 - 2)**

To confirm as a correct record the minutes of the meeting of the Licensing and Safety Committee held on 19th September 2007 (enclosed).

4. **Presentation on polycarbonate glasses and test purchasing**

Sergeant Bushell (Licensing Sergeant) will deliver a short presentation on polycarbonate glasses and test purchasing.

5. **Licensing Liaison Panel (Pages 3 - 4)**

To receive Minutes of the Licensing Liaison Panel held on 1 October 2007 (enclosed).

6. **Licensing and Registration - Summary of Activity from 1 September 2007 - 1 October 2007 (Pages 5 - 8)**

Report of Corporate Director of Governance (enclosed).

Continued....

7. **Any other item(s) that the Chair decides is/are urgent**

8. **Exclusion of the Public and Press**

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

9. **Hackney Carriage/Private Hire Driver - Failure To Meet Medical Standard (Pages 9 - 10)**

Report of Corporate Director of Governance (enclosed).

Yours sincerely



Chief Executive

Distribution

1. Agenda and reports to all Members of the Licensing and Safety Committee (Councillor Iris Smith (Chair), Councillor Edward Smith (Vice-Chair), Councillors Judith Boothman, Terry Brown, Magda Cullens, David Dickinson, Mrs Doreen Dickinson, Pat Haughton, Keith Iddon, Margaret Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape, John Walker and Mrs Stella Walsh) for attendance.
2. Agenda and reports to Claire Hallwood (Deputy Director of Legal Services), Janet Brereton (Legal Assistant (Licensing and Registration)), Keith Ogden (Enforcement Officer) and Ruth Hawes (Assistant Democratic Services Officer) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

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کیجئے:

Licensing and Safety Committee

Wednesday, 19 September 2007

Present: Councillor Iris Smith (Chair), Councillors Judith Boothman, Terry Brown, David Dickinson, Mrs Doreen Dickinson, Pat Haughton, Keith Iddon, Margaret Iddon, Hasina Khan, Thomas McGowan, Ralph Snape and John Walker

07.LS.53 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Edward Smith (Vice-Chair), Magda Cullens, Margaret Lees, Marion Lowe and Stella Walsh.

07.LS.54 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and Members' Code of Conduct, Councillors Judith Boothman, Tom McGowan and Ralph Snape declared a personal interest in relation to the Street Collection Permits reported on the agenda at Item 5.

07.LS.55 MINUTES

RESOLVED – That the Minutes of the meeting of the Licensing and Safety Committee held on 11 July 2007 be confirmed as a correct record and signed by the Chairman.

07.LS.56 LICENSING LIAISON PANEL

The Committee received the Minutes of the meeting of the Licensing Liaison Panel held on 13 August 2007.

Members discussed the issue of taxi drivers sounding their horns late at night causing a nuisance to residents. This would be brought to the attention of the Panel members at the next meeting.

RESOLVED – That the minutes be noted.

07.LS.57 LICENSING AND REGISTRATION - SUMMARY OF ACTIVITY FROM 28 JUNE 2007 - 31 AUGUST 2007

(Councillors Judith Boothman, Tom McGowan and Ralph Snape declared a personal interest in the following item).

The Committee received a report of the Director of Customer, Democratic and Legal Services on the various licences and permits issued and registrations effected by the Licensing Section between the period 28 June 2007 and 31 August 2007.

RESOLVED – That the report be noted.

07.LS.58 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following item on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A to the Local Government Act 1972.

07.LS.59 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES WITHIN THE BOROUGH

The Committee received a report of the Director of Customer, Democratic and Legal Services requesting the Committee to consider an application for a licence to drive Hackney Carriage/Private Hire Vehicles within the Borough of Chorley.

The applicant attended the meeting to make representations and answer questions from the Committee.

RESOLVED

1. **The Licensing and Safety Committee considered carefully the representations made in support of the application.**
2. **The Licensing and Safety Committee considered that drivers licensed by it should act in a responsible manner to both their passengers and other road users.**
3. **The Licensing and Safety Committee noted that the applicant had three speeding offences including whilst operating as a private hire driver. The Licensing and Safety Committee took into account that the applicant had a no Insurance conviction and had been allowed to continue to hold his DVLA license on the basis of undue hardship. Nevertheless the applicant subsequently incurred a further offence and received a six-month disqualification.**
4. **The Licensing and Safety Committee are not satisfied that the applicant is a fit and proper person on the basis of his driving record and were of the view that not sufficient time has elapsed since his DVLA license was restored to demonstrate that his driving ability and attitude have improved.**

Chair

LICENSING LIAISON PANEL – 1 October 2007

PRESENT Councillor Iris Smith, Councillor Edward Smith, Janet Brereton, Keith Ogden, Yaqoob Illahi, Lynne and Philip Cooper, Brian Crompton, Neil Kirkham

1 APOLOGIES – Peter Verhaege, Ann and Paul Clitheroe, Antony and Julie Price.

2 MATTERS ARISING FROM LAST MEETING –

2.1 Sounding horns in general – at the last panel meeting, it had been mentioned that a complaint had been received regarding the sounding of horns during daytime hours on the Rank in High Street. Licensing had been asked by a Member of the Licensing and Safety Committee to remind drivers to be courteous regarding sounding horns outside public houses etc when waiting to pick up customers. Keith Ogden reminded the panel that the Highway Code states that car horns should not be used after 11.30pm or when the vehicle is stationary.

2.2 Update re taxis outside Tut ‘n’ Shive/White Hart – Keith Ogden had been assured that the door staff from the White Hart were not parking outside the Tut ‘n’ Shive. He reminded everyone that there would be a possibility that the Fixed Penalty System could be used after 1 March 2008 as a Traffic Management Act is currently in the pipeline. A notice for vehicles parked in contravention of Section 64 Local Government (Miscellaneous Provisions) Act 1976 was passed round for information and everyone agreed it should be used to help to prevent vehicles parking on the Rank. It was suggested that the a representative from the Police should be asked to attend the next Panel meeting and Janet Brereton agreed to write to Inspector Roberts asking if he could nominate someone to attend.

3 SMOKEFREE LEGISLATION – COMMENTS, FEEDBACK – Neil Kirkham, the Public Health Technical Officer from the Council’s Environmental Services attended. He reported that he had had no problems with the smokefree legislation regarding the private hire/taxi trade. Those representing the trade also said they had had no problems and that the drivers are aware of the smokefree legislation. He stated that licensed premises needed to be aware of the litter issue regarding cigarettes. A panel member raised a question regarding smoking in his licensed vehicle when he was, for example, on holiday and using the vehicles as his own private vehicle. He was told that under the legislation it was not allowed. Janet Brereton reminded everyone that there were still some smokefree cards available which can have the operator’s phone number added on.

4 MOTORISED WHEELCHAIRS (UPDATE) – Keith Ogden reported that he had asked for further advice regarding motorised wheelchairs and had been sent a Device Bulletin from the Medical Devices Agency on

Guidance on the Safe Transportation of Wheelchairs. He said that a copy of this guidance would be given to the owners of wheelchair accessible vehicles.

5 ROOF SIGNS ON HACKNEY CARRIAGES – Keith Ogden pointed out that the licensed conditions for hackney carriages state that ‘the proprietor shall cause to be fixed to the roof of Saloon Type Hackney Carriages an illuminated sign bearing the words “CHORLEY BOROUGH TAXI” on both the forward and rearward faces of the sign’. The panel members representing the trade said that they continued to prefer this wording. Keith Ogden agreed that one or two vehicles were not complying at present and he would make sure this was put right. It was agreed that the new purpose built taxis came with the word ‘TAXI’ on and this was acceptable. A panel member raised a question about advertising company names on vehicle doors and Keith Ogden agreed that he would check the legal ruling again regarding this.

6 TEXT SERVICE FOR CUSTOMERS – Janet Brereton asked if anyone had seen the system available which sends a text message to customers confirming which vehicle would be arriving and approximate time of arrival. A panel member said that he had seen it working but it was expensive. Everyone agreed that it was an excellent system, but the cost was prohibitive and it would be too time-consuming to send texts out manually.

7 ANY OTHER BUSINESS

7.1 Tariff increase – A panel member asked whether a tariff increase was due. Keith Ogden explained that a request for an increase could only come from the hackney carriage trade. He pointed out that the next available Licensing and Safety Committee meeting to take a request to would be held on 21 November 2007, but sufficient notice must be given for a report to be put together. This would mean that an increase could in theory be in place before Christmas, provided there were no objections.

7.2 Subsidised buses – this led on to a discussion regarding subsidised buses, which Keith Ogden explained was a matter for the MP as it was government policy.

7.3 Drop off in Trade – this led on to a discussion regarding the perceived lack of shops, nightlife and a general drop off in trade. Councillor I Smith suggested that a representative of Regeneration and Development should be invited to attend the next meeting to discuss these concerns and listen to comment and feedback and Janet Brereton was to arrange this.

8. DATE AND TIME OF NEXT MEETING – the next meeting has since been arranged for Monday 3 December 2007 at 10.30am in the Committee Room, Town Hall, Chorley.



Report of	Meeting	Date
Corporate Director of Governance	Licensing and Safety Committee	17 October 2007

LICENSING AND REGISTRATION – SUMMARY OF ACTIVITY FROM 01 SEPTEMBER 2007 – 01 OCTOBER 2007

PURPOSE OF REPORT

1. To inform this Committee of the various licences and permits issued, registrations effected and enforcement activity for the above period.

RECOMMENDATION(S)

2. Members are asked to note the report.

EXECUTIVE SUMMARY OF REPORT

3. This report is for information only.

CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the central Lancashire sub region		Improved access to public services	
Improving equality of opportunity and life chance		Develop the character and feel of Chorley as a good place to live	
Involving People in their Communities		Ensure Chorley is a performing Organisation	√

BACKGROUND

5. This report is for information only.



LICENSING ACT 2003

6. The table below shows the number of licences/registrations issued during this period. Generally, renewal Private Hire/Hackney Carriage Vehicle/Drivers Licences and renewal Private Hire Operator Licences are now issued by the One Stop Shop

Number of	New	Renewals	Transfers	Vehicle Change
Private Hire Vehicles	2	18	0	8
Private Hire Drivers Licence	6	11	0	0
Private Hire Operator	1	9	0	0
Hackney Carriage Drivers Licence	2	2	0	0
Hackney Carriage Vehicle	0	4	0	1

SECOND HAND GOODS

7. There have been no applications granted for second hand goods licences during this period.

HOUSE TO HOUSE COLLECTIONS

8. There have been no application granted for House to House Permits during this period.

STREET COLLECTION PERMITS

9. There has been one application granted for a Street Collection Permit during this period for the following charity.

Name of Charity	Date of Street Collection
The British Red Cross Society	17 May 2008

MOTOR SALVAGE OPERATOR

10. There have been no applications granted for Motor Salvage Operator Licences during this period.

ENFORCEMENT/INSPECTION VISITS FOR PERIOD FROM 01 SEPTEMBER 2007 TO 01 OCTOBER 2007

11. During the above period eight visits, all of a routine nature have been made.

SUSPENSION OF VEHICLES

12. One Private Hire Vehicle was suspended due to mechanical faults.

JOINT OPERATIONS

13. One joint operation has been conducted during this period with Lancashire County Council/VOSA vehicle inspectors. No Chorley licensed vehicles required remedial action.

COMPLAINTS

14. One complaint was received regarding an alleged missed pick up.

IMPLICATIONS OF REPORT

15. There are no implications arising from this report.

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	√

ANDREW DOCHERTY
CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Jayne Day	5161	2 October 2007	LEGREP/0310LM2

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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