

Licensing and Public Safety Committee

Wednesday, 4 June 2008

Present: Councillor Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Magda Cullens, David Dickinson, Anthony Gee, Pat Haughton, Catherine Hoyle, Keith Iddon, Hasina Khan, Marion Lowe, Debra Platt, Ralph Snape, John Walker and Mrs Stella Walsh

08.LPS.01 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Judith Boothman, Mrs Doreen Dickinson and Thomas McGowan.

08.LPS.02 DECLARATIONS OF ANY INTERESTS

No declarations of interest were received.

08.LPS.03 MINUTES

RESOLVED – That the Minutes of the meeting of the Licensing and Safety Committee held on 2 April 2008 be confirmed as a correct record.

With regard to Minute 08.LS.29, the Committee was informed that a suitable company was being identified to carry out an independent survey on met demand.

With regard to Minute 08.LS.33 the Committee was informed that an opportunity had been given to the proprietor to produce records to collaborate the facts, but nothing had been received. A letter would be sent to the solicitor giving the proprietor another opportunity to produce the documents and asking whether the issue be taken to court.

08.LPS.04 LICENSING LIAISON PANEL - 31 MARCH 2008

The Committee received the Minutes of the meeting of the Licensing Liaison Panel held on 31 March 2008.

RESOLVED – That the minutes be noted.

08.LPS.05 REVIEW OF GUIDELINES ON THE RELEVANCE OF CONVICTIONS AND POLICE CAUTIONS FOR USE IN DETERMINATION OF APPLICATIONS FOR HACKNEY CARRIAGES AND PRIVATE HIRE DRIVERS LICENCES AND THE OPERATORS AND PROPRIETORS OF THOSE VEHICLES

Further to Minute 08.LS.30, the Committee received a report of the Corporate Director of Governance requesting the Committee to approve, following consultation, a draft Statement of policy and revised guidelines on the relevance of convictions and Police cautions for use in determining applications for Hackney Carriage and Private Hire Drivers' Licences.

RESOLVED – That the draft policy and revised guidelines attached at Appendix A to the submitted report be approved.

08.LPS.06 CHORLEY CONDITIONS FOR THE LICENSING OF HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

The Committee received a report of the Corporate Director of Governance on proposals to revise conditions for the purpose of licensing Hackney Carriages and Private Hire Vehicles to operate within the controlled district of Chorley.

The report indicated that Chorley Council was responsible to ensure that hackney carriages and private hire vehicles are suitable for use and that they meet conditions and road worthiness, suitable appearance and comfort. The Council also had power to require those vehicles to be submitted for inspection and testing and to impose conditions on licensees.

The Committee received at the meeting a 13 page submission on behalf of the Chorley Hackney Carriage Association which drew Members attention to several issues relating to the proposals.

RESOLVED – That this item be adjourned to a future meeting of the Committee.

08.LPS.07 LICENSING SUB COMMITTEE MEMBERSHIP

The Committee was requested to put forward 5 Members to each of the agreed dates for the Licensing Sub-Committee to consider either personal and premises or reviews under the Licensing Act 2003/Gambling Act 2005 (3 Members plus 1 reserve) or to consider hackney carriages/private hire licences or any other miscellaneous licences (5 members) depending on the business to be considered.

Members were requested to inform Democratic Services within a week, those meetings dates which they could not attend.

08.LPS.08 LICENSING AND REGISTRATION - SUMMARY OF ACTIVITY FROM 15 MARCH 2008 - 16 MAY 2008

The Committee received a report of the Corporate Director of Governance on the various licences and permits used, regulations effected and enforcement activity for by the Licensing Section between 15 March 2008 and 16 May 2008.

Members expressed concern at the proposal to transfer the Licensing Section to the Neighbourhoods Directorate and that the post of Licensing Enforcement Officer might be lost. A petition had been received from the Taxi trade in support of keeping the Licensing Enforcement Officer and the Committee **AGREED** to give support.

Chair