

Chief Executive's Office

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Date: 3 October 2005

Chorley
Borough Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Chief Executive:
Jeffrey W Davies MA LLM

Dear Councillor

A meeting of the Licensing and Safety Committee is to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 12th October, 2005 commencing at 2.00 pm.

AGENDA

1. **Apologies for absence**

2. **Declarations of Any Interests**

Members of the Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 4)**

To confirm as a correct record the minutes of the meeting of the Licensing and Safety Committee held on 24 August 2005 (enclosed)

4. **Proposed Increase in Hackney Carriage Fares (Pages 5 - 8)**

Report of Director of Legal Services (enclosed)

5. **Licensing and Registrations Licenses issued from 2 August 2005 to 22 September 2005 (Pages 9 - 12)**

Report of Director of Legal Services (enclosed)

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

Continued....

7. **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 4 of Part 1 of Schedule 12A to the Local Government Act 1972.

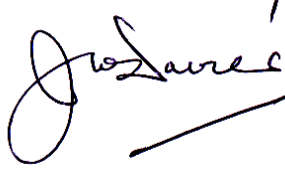
8. **Application for Licence to Drive Hackney Carriage/Private Hire Vehicles within the Borough of Chorley - Mr C C (DOB 03.10.61)**

Report of Director of Legal Services (to follow)

9. **Private Hire Driver - Police Caution for Assault - Mr KS**

Report of Director of Legal Services (to follow)

Yours sincerely



Chief Executive

Distribution

1. Agenda and reports to all Members of the Licensing and Safety Committee (Councillor R Snape (Chair), Councillor Iddon (Vice-Chair), Councillors Bedford, Mrs D Dickinson, D Dickinson, A Gee, T Gray, Hoyle, M Lees, Lennox, McGowan, Mrs Smith, E Smith, Walker and Mrs Walsh) for attendance.
2. Agenda and reports to Director of Legal Services and Licensing Manager for attendance.
3. Agenda to all remaining Chief Officers for information.
4. Agenda to all remaining Members of the Council for information.

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 آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
کیجئے: 01257 515823

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LICENSING AND SAFETY COMMITTEE**24 August 2005**

Present: Councillor R Snape (Chairman), Councillor Miss Iddon (Vice-Chairman), Councillors Bedford, David Dickinson, A Gee, Walker and Mrs Walsh.

05.LS.39 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Mrs D Dickinson, T Gray, Mrs M Lees, Lennox, McGowan, Mrs I Smith and E Smith.

05.LS.40 DISCLOSURE OF PERSONAL/PREJUDICIAL INTERESTS

No Member declared an interest in relation to matters under consideration at the meeting.

05.LS.41 MINUTES

RESOLVED - That the minutes of the special meeting of the Licensing and Safety Committee held on 19 July 2005 be received as a correct record and signed by the Chairman.

05.LS.42 APPLICATION TO LICENCE OVER AGE VEHICLE

The Committee received a report of the Director of Legal Services referring Members to consider a report on an application to licence a private hire vehicle that was over the Council's age limit.

The report indicated that the vehicle in question was a Mercedes E230 and was nine years old.

It was a condition of private hire vehicle licences issued by the Council that 'On the date of first licensing, a vehicle shall normally be no older than four years from the date of manufacture'. Although a Council could have a policy on ages of vehicles this policy could not be inflexible and that was the reason for the word 'normally' being in the licence condition.

A check on the vehicle had found it to be in above average condition for its age with a full service history and mileage of 65,000. In the view of the inspecting officer the vehicle would be suitable for use as a private hire vehicle provided that it successfully completed a 'taxi test'. The applicant attended the meeting to put forward representation in support.

RESOLVED - That a private hire vehicle licence be issued on condition it successfully completes a 'taxi test'.

05.LS.43 LICENSING AND REGISTRATION LICENCES ISSUED FROM 28 JUNE TO 1 AUGUST 2005

The Committee received a report of the Director of Legal Services on the various licences and permits issued and registrations effected by the Licensing Section since the last ordinary meeting.

RESOLVED - That the report be noted.

05.LS.44 APPLICATION FOR A PUBLIC ENTERTAINMENT LICENCE – THE BEAUMONT PUBLIC HOUSE, CENTRE DRIVE, CLAYTON GREEN

The Director of Legal Service submitted a report requesting the Committee to determine an application for a public entertainment licence in respect of the Beaumont Public House, Centre Drive, Clayton Green.

The application was based on the following hours:

Monday to Thursday 11.00am until 23.30pm
Friday and Saturday 11.00am until 24.00pm
Sunday 12 noon until 12.30pm

Following Police consultation, the applicant had agreed to reduce the hours to midnight on Friday and Saturday.

Objections had been received from nearby residents living in Blackcroft and Peartree Road due to noise from the establishment and attended the meeting to put forward their objections.

The Licensee along with his manager attended the meeting to put forward representations in support of his application.

A representative from the Council's Environmental Services Unit attended the meeting suggesting that the following conditions be added to the licence if granted:

- All licensed events shall take place inside the building with all windows shut and the door shut other than for ingress and egress.
- Both the entrance door and the lobby door shall be fitted with self-closing devices.
- If ventilation build-up becomes a problem this will need to be addressed by an air conditioning system or other active ventilation system.

RESOLVED - 1) That the Public Entertainment Licence in respect of the Beaumont Public House, be granted on the following hours:

Monday to Thursday 11.00am until 23.30
Friday and Saturday 11.00am until 24.00
Sunday 12 noon until 12.30pm.

2) That the approval be subject to complying with the standard conditions and additional conditions.

05.LS.45 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES WITHIN THE BOROUGH OF CHORLEY – MR BP (05/06/61)

The Chairman accepted as urgent, consideration of this item, not included on the agenda in order to consider the application for a licence to drive a Hackney Carriage/Private hire vehicle in view of the fact it was deferred at the last meeting as the applicant did not attend and the next scheduled meeting was not until 12 October 2005.

Further to Minute 05.LS.48 the Director of Legal Services submitted a report requesting the Committee to determine an application submitted by Mr BP for a licence to drive a private hire vehicle in the Borough of Chorley following Criminal Record Bureau check had revealed offences indicating that this application be

considered by the Committee as to whether to grant a licence or otherwise.

The applicant had failed to disclose the convictions, dated 1978 and 1984, on his application form.

The applicant attended the meeting to put forward representations in support of his application.

RESOLVED - That a Hackney Carriage/Private Hire licence be granted to Mr BP.

05.LS.46 EXCLUSION OF PRESS AND PUBLIC

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

05.LS.48 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGES/PRIVATE HIRE VEHICLES WITHIN THE BOROUGH OF CHORLEY (MR GA)

The Director of Legal Services submitted a report requesting the Committee to determine an application submitted by Mr GA for a licence to drive Hackney Carriage/Private Hire Vehicles. A Criminal Record Bureau check had revealed information that would determine that the grant of a licence would only be made following the deliberations of the Licensing and Safety Committee.

The applicant attended the meeting to put forward representations in support of his application.

RESOLVED - That a Hackney Carriage/Private Hire Licence be granted to Mr GA.

Chairman

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Report of	Meeting	Date
Director of Legal Services	Licensing and Safety Committee	12/10/05

PROPOSED INCREASE IN HACKNEY CARRIAGE FARES

PURPOSE OF REPORT

1. To present to members, a request made by the local Hackney Carriage Association for an increase in hackney carriage fares.

CORPORATE PRIORITIES

2. This report has no direct impact on the corporate priorities of the Council.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. Hackney carriage fares were last increased in June 2004.
5. There are 30 hackney carriages licensed at present and the reason for the request is because of the continual increase in fuel charges and insurance premiums.
6. It is the responsibility of the Council to fix hackney carriage fares, after having agreed or otherwise the request by the hackney association. In effect once members have agreed a tariff a notice is placed in a local newspaper and a copy of the proposed increase is left on display at the Civic Offices reception inviting any objections. The period of notice shall not be less than 14 days from the date of first publication of the notice.
7. If no objections are received within the specified period or if any objections are withdrawn the table of fares shall come into operation on the date of the expiration of the period specified in the notice.
8. A comparison chart of other neighbouring authorities is attached to assist the Committee in reaching a decision.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

8. Not applicable.

COMMENTS OF THE DIRECTOR OF FINANCE

9. Not applicable.

RECOMMENDATION(S)

10. That members consider the request for a fare increase as proposed by the local Hackney Carriage Association.

ROSEMARY LYON
DIRECTOR OF LEGAL SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Keith Ogden	5163	31 January 2005	LEGREP/90378LK

HACKNEY CARRIAGE TABLE OF FARES

COMPARISON COMPILED FOR LICENSING AND SAFETY COMMITTEE, 12 OCTOBER 2005

LOCAL AUTHORITY	DISTANCE NOT EXCEEDING	EACH SUBSEQUENT	1 MILE	2 MILES	3 MILES	4 MILES	WAITING TIME	SOILING CHARGE
CHORLEY BC (Existing)	½ mile £1.70	¹ / ₁₄ mile 10p	£2.40	£3.80	£5.20	£6.60	For each period of 30 seconds or part 10p	£45.00
CHORLEY BC (Proposed)	½ mile £1.80	¹ / ₁₅ mile 10p	£2.60	£4.10	£5.60	£7.10	For each period of 30 seconds or part 10p	Unchanged
S RIBBLE BC (01/11/04)	³ / ₁₅ mile £1.60	¹ / ₁₅ mile 10p	£2.80	£4.30	£5.80	£7.30	For each period of 30 seconds or part 10p	£40.00
WEST LANCS BC (13/09/05)	800 yards £2.00	160 yards 10p	£2.60	£3.70	£4.80	£5.90	For each period of 45 seconds or part 10p	£20.00
BLACKBURN BC	919 yards £2.00	125 yards 10p	£2.70	£4.10	£5.50	£6.90	For each period of 1 minute or part 10p	£20.00
WIGAN MBC (11/08/05)	496 yards £1.60	124 yards 10p	£2.70	£4.20	£5.70	£7.20	For each period of 31 seconds or part 10p	£20.00

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Agenda Item 4

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Report of	Meeting	Date
Director of Legal Services	Licensing & Safety Committee	12 October 2005

LICENSING AND REGISTRATION LICENCES ISSUED FROM 2 AUGUST 2005 TO 22 SEPTEMBER 2005

1. PURPOSE OF REPORT

To inform the Committee of the various licences and permits issued and the registrations effected since the last Committee.

2. CORPORATE PRIORITIES

There are no specific implications for corporate policies arising from this report.

3. RISK ISSUES

The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	Information	✓
Reputation	Regulatory/Legal	
Financial	Operational	
People	Other	

This report is for information only.

4. PUBLIC ENTERTAINMENT LICENCES - GRANTED UNDER DELEGATED AUTHORITY

Occasional

Eccleston Cricket Club Marquee. Adlington Cricket Club

New

Transfers

Renewals

Park Hall Night Club
Park Suite
Albany High School

Lancastrian Suite
Banqueting Suite

Mawdesley Hotel
Brindle St Joseph's Parish Hall

Variations

Continued...



5. **SECOND HAND GOODS**

6. **HACKNEY CARRIAGES, PRIVATE HIRE REGISTRATIONS**

The table below shows the number of licences/registrations issued by me under my delegated powers since last Committee.

<u>Number of</u>	<u>New</u>	<u>Renewals</u>	<u>Transfers</u>	<u>Change</u>
Private Hire Vehicles	4	25	4	7
Private Hire Driver's Licences	8	18		
Private Hire Operator	1	16		
Hackney Carriage Driver's Licences	3	7		
Hackney Carriage Vehicles		16	1	1
Motor Salvage Operator				

7. **HOUSE TO HOUSE COLLECTIONS**
Mayors Charity

8. **STREET COLLECTION PERMITS**

There have been six applications granted for Street Collection Permits on behalf of the following:

9. **LOTTERIES AND AMUSEMENTS ACT 1976 (AS AMENDED)**

There have been no Lottery permits issued.

10. **LATE NIGHT REFRESHMENT HOUSE LICENCES**

There have been no applications granted for Late Night Refreshment House Licences on behalf of the following:

11. **GAMING MACHINE SECTION 34 (5E) PERMIT**

There have been no Gaming Machine Permits issued during this period.

12. **MOTOR SALVAGE OPERATOR**

There have been no Motor Salvage Operator Licences issued during this period.

Enforcement visits for period from 02 August to 22 September 2005

13. During the above period I have made 37 visits to premises in connection with licensing matters.

14. The majority of the visits have been of a routine nature but the following visits have been made where breaches of the law are suspected:

Black Horse, Pall Mall, Chorley warning letter sent following complaint of "noisy entertainment" and visit to be made on 24 September.

Red Cat, Heapey. Visit made following advertised entertainment. Entertainment taking place did not need licensing.

Suspension of vehicles

- 15. Four private hire vehicle licences were suspended, all operated by Chorley Private Hire. The reason for the suspension was the failure of the operator/manager to supply details of insurance as required. If this situation continues a report will be placed before this Committee.

Investigation of complaints

- 16. Two complaints have been received during this period, one related to the manner of driving of a private hire driver and suitable advice was given, the other complaint did not fall under our jurisdiction and as much help as possible was given to the complainant. The previous complaint in respect of Chorley Private Hire has still not been dealt with satisfactorily. It is expected that a translated letter will have been delivered to the operator prior to this meeting and there may be further information to bring to the Committee

Joint Operations

- 17. No joint operations were conducted during this period.

Report compiled 23 September 2005
 Keith Ogden
 Licensing Enforcement Officer

COMMENTS OF DIRECTOR OF FINANCE

- 18. There are no comments from the Director of Finance.

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES.

- 19. There are no comments from the Head of Human Resources

RECOMMENDATION(S)

- 20. Members are asked to note the report

ROSEMARY A LYON
 DIRECTOR OF LEGAL SERVICES

Background Papers			
Document	Date	File	Place of Inspection
Various applications	Various dates	Various files	Licensing Unit Legal Services Chorley

Report Author	Ext	Date	Doc ID
Jayne Day	5161	23 September 2005	LEGREP/90452AJS

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