



Licensing and Public Safety Committee

Agenda and Reports

For consideration on

Wednesday, 10th March 2010

In the Council Chamber, Town Hall, Chorley

At 2.00 pm



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02 March 2010

Dear Councillor

LICENSING AND PUBLIC SAFETY COMMITTEE - WEDNESDAY, 10TH MARCH 2010

You are invited to attend a meeting of the Licensing and Public Safety Committee to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 10th March 2010 commencing at 2.00 pm.

AGENDA

1. **Welcome and 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 - 4)**

To confirm and sign as a correct record the minutes of the meeting of the Licensing and Public Safety Committee held on 2 December 2009.

4. **Minutes of the Licensing Sub-Committees**

To confirm and sign as a correct record the minutes of the Licensing Sub-Committees which took place on the following dates:

a) Minutes of the General Licensing Sub-Committee held on 2 December 2009 (enclosed) (Pages 5 - 8)

b) Minutes of the General Licensing Sub-Committee held on 10 February 2010 (enclosed) (Pages 9 - 14)

5. **Annual Review of Licence Fees**

To consider a report of the Director of People and Places (report to follow).

6. **Taxi Unmet Demand Survey (Pages 15 - 20)**

To consider the enclosed report of the Director of People and Places on the conclusions and recommendations arising from the survey carried out in November 2008.

7. **Hackney Plate Allocation (Pages 21 - 34)**

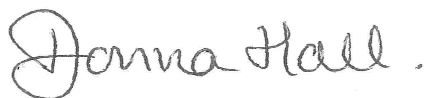
To consider the enclosed report of the Director of People and Places and to allocate the available hackney plate in accordance with the agreed criteria.

8. **Licensing and Registration - Summary of Activity (Pages 35 - 42)**

To receive for information the enclosed report of the Director of People and Places.

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

Yours sincerely



Donna Hall
Chief Executive

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Democratic and Member Services Officer
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Distribution

1. Agenda and reports to all Members of the Licensing and Public Safety Committee (Councillor Keith Iddon (Chair), Councillor Pat Haughton (Vice-Chair) and Councillors Edward Smith, Judith Boothman, Terry Brown, Magda Cullens, David Dickinson, Doreen Dickinson, Anthony Gee, Hasina Khan, Adrian Lowe, Marion Lowe, Thomas McGowan, Debra Platt, Ralph Snape, John Walker and Stella Walsh for attendance.
2. Agenda and reports to Paul Carter (Public Protection Co-ordinator), Simon Clark (Head of Environment), Legal Services and Cathryn Barrett (Democratic and Member 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 آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
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Licensing and Public Safety Committee

Wednesday, 2 December 2009

Present: Councillor Keith Iddon (Chair), Councillors Magda Cullens, Doreen Dickinson, Anthony Gee, Hasina Khan, Adrian Lowe, Marion Lowe, Thomas McGowan, Debra Platt, Edward Smith, Ralph Snape, John Walker and Stella Walsh

Also in attendance: Simon Clark (Environmental Health Manager), Paul Carter (Public Protection Co-ordinator), Zeynab Patel (Solicitor) and Cathryn Barrett (Democratic and Member Services Officer)

09.LPS.31 WELCOME

The Chair welcomed everyone present to the meeting.

09.LPS.32 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Judith Boothman, Terry Brown, David Dickinson and Pat Haughton.

09.LPS.33 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest submitted by the Sub-Committee Members on any item on the agenda.

09.LPS.34 MINUTES

That minutes of the meeting of the Licensing and Public Safety Committee held on 16 September 2009, be confirmed as a correct record and signed by the Chair.

09.LPS.35 MINUTES OF THE LICENSING SUB-COMMITTEES

The minutes of the Licensing Sub-Committees held on 17 September 2009, 30 September 2009, and 4 November 2009 were confirmed as correct records and signed by the Chair.

09.LPS.36 REVIEW OF TAXI LICENSING VEHICLE CONDITIONS

The Committee considered a report of the Corporate Director (Neighbourhoods) that sought Members approval to implement the proposals to amend the conditions applied to taxi vehicle licence applications and the subsequent licence conditions.

Following the last Committee, a Sub-Group of the Licensing Liaison Panel had been established, which included representatives of the Private Hire and Hackney Carriage Trade and officers from the Public Protection Team. The Sub-Group met on several occasions, and based on feedback received at the Sub-Group the following amendments to the taxi licensing vehicle conditions had been proposed:

- Streamline vehicle testing frequency (hackney carriage and private hire) – vehicle testing would take place every six months, irrespective of the age of the vehicle, and provided the vehicle could be repaired to a standard that met the vehicle test requirement, would not be precluded from operating as a licensed taxi.
- Vehicle testing format (hackney carriage and private hire) – withdrawal of the required third ‘Council Safety Test’ and instead rely on the MOT/VOSA test and the ‘Taxi Inspection and Safety Test’ to identify vehicles that were unsuitable or unsafe to operate as a taxi. Testing garages would be provided with detailed guidance to assist them in assessing the elements of the Taxi Inspection and Safety Test.
- Taxi Plate Requirement (hackney carriage and private hire) – one plate to be issued, for display, at the initial licensing period with a renewable internal taxi badge to be displayed with the date of expiry of the taxi licence. This plate would be attached to the vehicle until such time the licence was not renewed or surrendered. The business procedures within the Council would be used to monitor licences that had expired that had not been renewed or surrendered and the increased enforcement resources within the Public Protection Team would be used to investigate and seize plates not properly licensed.
- Luggage Capacity Requirement (private hire only) – remove the requirement that licensed vehicles must be capable to carry one suitcase for each passenger that the vehicle was licensed to carry, and replace it with the condition that requires operators to determine the luggage carrying capacity of the fare at the time of booking. The onus would be on the operator to inform the fare of any additional vehicles that would be required to accommodate luggage and ensure that all luggage was stowed internally in the vehicle in a manner that ensured the safety of passengers and other road users. No changes to luggage carrying capacity for hackney carriage vehicles were proposed.
- Tyre tread requirements (hackney carriage and private hire) – remove the requirement for a 3mm tread depth and rely on the national standard of 1.6mm over the central $\frac{3}{4}$ of the tread patterns. In addition the test requirements would be clarified to state that the spare tyre, where fitted must also comply too the same standard. Where a vehicle was not equipped with a spare tyre at the time of manufacture, the vehicle manufacturers’ recommended ‘run flat’ or ‘self inflatable’ tyres should be fitted on all wheels. The use and carrying of proprietary puncture repair kits would not be considered a suitable alternative.

Members of the Committee discussed the proposed changes. The majority of Members felt that the current system was over bureaucratic and burdensome on the trade, and accepted that the proposals would improve the current system.

Committee Members raised concern that a reduction in the current condition of a 3mm tyre tread, in support of the national standards 1.6mm could prove detrimental to the safety of the vehicles, especially with the reduction of compulsory testing that had been proposed. The Committee were advised that

some drivers did not comply with the current 3mm condition currently in place, and it was felt that reducing the tyre tread to the national standard would make little difference to compliance. Members were reassured however, that spot checks would still take place regularly and for those drivers who failed to comply with the conditions, enforcement action would be taken.

It was envisaged that the changes to the conditions would be brought in to force with effect from 2 January 2010.

The Environmental Manager clarified that it had been proposed to issue paper expiry discs only when the drivers' licence was renewed. In response to Councillor Platt's suggestion it was agreed that those drivers with a long expiry date would also be issued with paper expiry discs.

It was proposed by Councillor Debra Platt, seconded by Councillor Magda Cullens and was subsequently **RESOLVED (12:1) to approve the proposed amendments to the vehicle licensing conditions for taxis.**

09.LPS.37 REVIEW OF THE LICENSING LIAISON PANEL

The Committee considered a report from the Corporate Director (Neighbourhoods) which informed Members of the results of the review of the current licensing liaison arrangements.

At the last Committee, held on 16 September 2009, Members approved a review of the Licensing Liaison Panel.

After consultation with the Licensing Liaison Panel, held on 28 September 2009, and in consultation with the Chair and Vice Chair of Licensing and Public Safety Committee, the general view was that the existing arrangements should be retained with minor amendments and additions to the remit and make up of the panel. The outcome of the review and consultation resulted in the following proposed operation of the Licensing Liaison Panel in Chorley:

- the Panel would meet on a quarterly basis, and would discuss wider matters of interest in the licensed trade in its widest sense
- the Panel would consist of an open membership drawn from Council Members, licensed premises trade, taxi licensing trade, other licensing trades, Disability Forum, Council Enforcement officers, Police, Fire Services and other Council directorates
- the Panel would operate to a published constitution and code of conduct
- although the Panel would not have any decision making powers, it was envisaged that through open discussion and published minutes the Panel would endeavour to influence decisions taken by other organisations and bodies

It was proposed by Councillor Adrian Lowe, seconded by Councillor Marion Lowe and subsequently **RESOLVED (13:0) to accept the results of the Licensing Liaison Panel review and agreed the implementation of the proposed amendments, with the stipulation that the Chair and Vice Chair of the Licensing and Public Safety Committee would have respective roles on the Panel.**

09.LPS.38 LICENSING ENFORCEMENT ACTIVITY AND PERFORMANCE

Members of the Committee received a report from the Corporate Director (Neighbourhoods) informing members of the enforcement activity of the Public Protection Team in relation to licensing issues during Quarter 2 (July 2009 – September 2009).

Key issues in the report included:

- Taxi enforcement – 18 compliance checks on taxis resulting in the issue of 9 Defect Notices and 1 Suspension Notice – all notices were complied with in the specified time periods, resulting in no further action being necessary
- Enforcement activity – 35 visits to licensed premises checked for compliance with conditions and respond to complaints. In addition 12 joint visits with Trading Standards officers made to licensed premises for the purpose of test purchasing. 11 out of the 12 passed the purchase test. The licensed premises that failed the test was issued with a 'simple caution' by the police to the licence holder.

The Committee **RESOLVED that the report be noted.**

Chair

General Licensing Sub-Committee

Wednesday, 2 December 2009

Present: Councillor Pat Haughton (Chair) and Councillors Judith Boothman, Hasina Khan, Thomas McGowan and Debra Platt

09.LSC.19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor David Dickinson.

09.LSC.20 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest by any of the Sub-Committee Members in any of the meeting's items.

09.LSC.21 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting during discussion of the following items on the ground that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

09.LSC.22 SECTION 61 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - SUSPENSION AND REVOCATION OF A PRIVATE HIRE DRIVERS' LICENCE

The Sub-Committee considered a report of the Corporate Director (Neighbourhoods), bringing to the attention of Members, a complaint regarding the professional standards of a licensed private hire driver in Chorley, following an incident which took place whilst the driver was on duty.

Members of the Sub-Committee had been asked to consider whether the Private Hire Driver was a fit and proper person to continue to hold a Private Hire Drivers' Licence in light of the information contained in the report.

The Sub-Committee received details on an incident that took place on the 23 September 2009, which resulted in an injury to a minor.

The Private Hire Driver attended the meeting to put forward representations as to why the Private Hire Drivers' Licence should not be revoked. The driver confirmed the information presented to the Sub-Committee was a correct record of events, but maintained he was unaware of the injury to the minor, and expressed remorse for the incident.

Members of the Sub-Committee noted that the driver had only held a Private Hire Driver's licence for a year.

All aspects of the incident were considered by Members of the Sub-Committee, including representations from the driver and the Public Protection Officer, the witness statement, and public safety considerations.

The Sub-Committee deliberated on the information presented which included:

- a) that the driver had not engaged the hand break on his vehicle while waiting for his passengers to enter the car
- b) an injury was caused to a minor
- c) the incident occurred when the driver had only held his private hire drivers' licence for one year.

After considering and taking account of all the relevant factors, the Sub-Committee unanimously **RESOLVED to add a condition to the drivers Private Hire Drivers' Licence that there was a requirement for the driver to complete one of the following training courses:**

- a) **Driver Standards Agency, Taxi Driver Assessment, or**
- b) **National BTEC (Transporting passengers by Taxi and Private Hire, EDEXCEL Level 11 BTEC Award)**

The chosen course must have been completed within 6 months from the day of this Sub-Committee (2 December 2009) or within such a period as the Corporate Director (Neighbourhoods) may agree, in consultation with the Chair on receipt of representations from the Private Hire Driver.

(At this point Councillor Haughton left the meeting, and Councillor McGowan took over as Chair)

09.LSC.23 SECTION 61 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A PRIVATE HIRE DRIVERS LICENCE

The Sub-Committee considered a report from the Corporate Director (Neighbourhoods), seeking Members decision on an application for a Private Hire Drivers Licence.

The application had originally been considered at the Sub-Committee held on 4 November 2009. Members of that Sub-Committee felt that they were unable to make a decision at the time, but instead decided to defer the application to the next available General Licensing Sub-Committee. This was to allow the applicant time to provide further medical evidence, confirming his fitness to hold a private hire drivers licence on health grounds.

The applicant's original medical report had been completed by his doctor and stated that the applicant had a medical condition relating to Insulin Treated Diabetes. Members were reminded that the Council had adopted the DVLA Group 2 Driver Medical Standards in relation to applications for Private Hire and Hackney Carriage Driver in line with the recommendations from the DVLA. The applicant's condition would normally prohibit the licensing of applicants who were subject to the considerations of the DVLA Group 2 Driver Medical Standard.

In support of his application, that applicant provided detailed information for the purpose of establishing his fitness to drive a Private Hire Vehicle from his consultant and submitted a written undertaking with regards to his diabetic management.

The applicant had held a DVLA Driver licence since July 1984, which was renewed on a 3 yearly basis, and was due to expire on 7 October 2011.

As part of his application, the applicant completed an Enhanced Criminal Records Disclosure as part of the application process which revealed previous convictions. The applicant had passed the required knowledge test.

Since the Sub-Committee on 4 November 2009, the applicant had provided a statement to further support the medical opinion sought.

The applicant, and the applicant's brother, attended the meeting to put forward representations in support of his application.

Members of the Sub-Committee asked the applicant various issues relating to his diabetes, including his control and monitoring methods, employment history, frequency of hypoglycaemia episodes, and how he intended to manage his diabetes working as a private hire driver, should Members of the Sub-Committee be minded to grant the application.

The Sub-Committee considered all aspects of the application, including representations from the applicant and the Public Protection Officer, the applicant's medical condition and the relevance of his convictions.

After careful consideration of all the relevant factors, the Sub-Committee unanimously **RESOLVED to grant the application on the condition that the applicant immediately report to the Public Protection Team in writing any significant changes in his diabetic condition.**

Chair

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General Licensing Sub-Committee

Wednesday, 10 February 2010

Present: Councillor Keith Iddon (Chair) and Councillors Judith Boothman, Hasina Khan, John Walker and Stella Walsh

10.LSC.24 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Thomas McGowan.

10.LSC.25 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

10.LSC.26 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – that the press and public be excluded from the meeting of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

10.LSC.27 REVIEW OF A PRIVATE HIRE DRIVERS' LICENCE

The Sub-Committee received a report from the Director of People and Places, drawing Members of the Sub-Committee's attention to relevant convictions, and their non disclosure to the Council from a Private Hire driver.

On 7 October at South Ribble Magistrates Court the Private Hire driver was convicted of dishonesty offences. A copy of the court register in respect of the driver's conviction was presented to Members of the Sub-Committee, and detailed the following convictions:

- On 14 February 2008 at Blackburn, The driver failed to give information relating to the identification of the driver of a vehicle, who was alleged to have been guilty of an offence contrary to Section 172 (3) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988, which resulted in a £350 fine and costs of £50.
- On or about 25 April 2006, with a view to obtaining for himself Housing Benefit and Council Tax Benefit dishonestly made a false representation, namely that the information given was correct and complete whereas he failed to declare his earning as a self-employed taxi driver contrary to section 112 (1)a and (2) of the Social Security Administration Act 1992 which resulted in a 2

year conditional discharge and ordered to repay £5,020 in Housing Benefit and £569 in Council Tax Benefit.

The driver and the driver's employer attended the meeting to put forward representations in support of the review. The Council's Benefit Fraud Investigator also attended the meeting to respond to any queries raised by Members of the Sub-Committee in relation to the conviction of benefit fraud.

The driver explained the circumstances which led up to the convictions and his failure to disclose those convictions to the Council.

The applicant's representative stated that the driver had been in his employment for the previous 12 months and had received positive feedback from customers. Provided that the outcome of the review was successful, the driver would be offered a PAYE position and offered suggestions of repayment methods which would be deducted from the driver's salary at source.

At the request of the Sub-Committee, the driver confirmed that his DVLA drivers licence had a 6 point penalty endorsement.

The Sub-Committee considered all aspects of the application, including the representations from the driver, the driver's representative, the Benefit Fraud Investigator and Public Protection Officer, the Council's conditions which are issued to all Hackney Carriage and Private Hire Drivers, and the relevance of the convictions. After careful conditions of all the relevant factors including the seriousness of the convictions the Sub-Committee unanimously **RESOLVED not to revoke the licence.**

10.LSC.28 APPLICATION FOR A HACKNEY CARRIAGE DRIVERS' LICENCE

The Sub-Committee considered a report from the Director of People and Places, seeking instruction on an application for a licence to drive a Hackney Carriage.

The applicant's Criminal Record Bureau check stated he had received a Police Caution under the Theft Act 1968 Section 1 on 3 November 2008 for an incident which occurred on 28 February 2008.

The applicant attended the meeting to put forward representations in support of his application and gave an account of the circumstances that led up to him committing the offence. The applicant also explained why he had failed to disclose the information on the application for a Hackney Carriage Driver's Licence.

The applicant informed Members of the Sub-Committee that he had previously assisted in operating from a taxi base and if his application was successful he would be employed in a family owned Hackney Carriage business.

After careful consideration of all the relevant factors, including the relevance of the Caution and the Council's Statement of Policy concerning the relevance of criminal convictions the Sub-Committee unanimously **RESOLVED to grant the applicant a Hackney Carriage Driver's Licence.**

10.LSC.29 APPLICATION FOR A PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS' LICENCE

The Sub-Committee considered a report from the Director of People and Places, seeking the Sub-Committee's decision on an application for a Private Hire and Hackney Carriage Driver Licence. The application could only be determined by the General Licensing Sub-Committee as the applicant had relevant convictions.

The applicant's Criminal Record Bureau check revealed the following convictions:

- On 29 January 2007 at Chorley Magistrates Court, the applicant was convicted of battery, under Section 39 of the Criminal Justice Act for an incident which took place on 7 July 2006. The applicant received a 12 month community order (without electronic tagging) with supervision. The order was revoked on 26 June 2007.
- On 26 April 2007 at Chorley Magistrates Court the applicant was convicted for breaching his community order on 14 March 2007 under SCH 8 of the Criminal Justice Act 2003. The applicant received a 3 year Conditional Discharge resulting from the original conviction on 29 January 2007
- On 29 June 2009 at Chorley Magistrates Court the applicant was convicted of being drunk and disorderly on 15 October 2008 under Section 91(1) of the Criminal Justice Act, which resulted in a fine £125 plus costs of £100 and £15

Members of the Sub-Committee were also informed (at the discretion of the Chief Officer of Lancashire Police), that other relevant information had been disclosed on the applicant's Criminal Records Bureau check which related to the conviction on 29 January 2007. Members of the Sub-Committee were advised that additional disclosures of this nature made by the Chief Officer of Police relating to taxi licence applications were extremely rare and that the disclosure should be considered when determining the application.

The Public Protection Officer informed the Sub-Committee the circumstances that led up to the applicant breaching his community order.

The applicant attended the meeting to put forward representations in support of his application, and explained the personal circumstances which led to his past convictions, employment history and offer of employment.

In response to a question raised by a Member of the Sub-Committee the Public Protection Officer explained that the Public Service Vehicle Licence,

which the applicant held, fell outside of the legislative framework of the Local Government (Miscellaneous Provision) Act 1976, for which the Council was responsible.

The applicant further produced a Private Hire Driver's Licence (valid from 7 October 2005 to 6 October 2006) and a Private Hire Vehicle Licence (valid from 31 January 2006 to 31 May 2006) that confirmed he had previously held a Private Hire Driver's Licence to driver a Private Hire Vehicle in Chorley, contrary to the records held by the Public Protection Team.

After careful consideration of all the relevant factors, including representations from the applicant and the Public Protection Officer, the Council's statement of Policy concerning the relevance of criminal convictions, the disclosure which was included at the discretion of the Chief Officer of Police in respect of the applicant's Criminal Records Bureau check.

The Sub-Committee unanimously **RESOLVED** to grant that the application for a Private Hire Driver's Licence on the following conditions:

- That the Private Hire Driver's Licence be granted for 6 months, after which the licence will be reviewed by the Public Protection Officer.
- That applicant must notify the Council of any further convictions, as required by the standard licensing conditions.

10.LSC.30 APPLICATION FOR A PRIVATE HIRE DRIVERS' LICENCE

The Sub-Committee considered a report from the Director of People and Places, seeking the Sub-Committee's decision for a Private Hire Driver's Licence. The application could only be determined by the General Licensing Sub-Committee as the applicant had a relevant conviction.

The applicant's Criminal Records Bureau check revealed that on 16 March 2005, the applicant was convicted at Chorley Magistrates Court for the offence of being in charge of a motor vehicle with excess alcohol on the 11 March 2005. The applicant received an Absolute Discharge, was ordered to pay £50 costs and was disqualified from driving for 6 months with no penalty points.

Members of the Sub-Committee were asked to discount paragraph 6 of the report as the information contained within that paragraph was incorrect.

The applicant attended the meeting to put forward representations in support of his application and gave an account of his actions that led up to his conviction.

In response to a question posed by a Member of the Sub-Committee the applicant confirmed that the medication that he had been prescribed for a medical condition did not have a detrimental effect on his driving capability, and that the applicant's doctor supported that the applicant was fit to drive.

The Public Protection Officer also confirmed that notification to the DVLA was not required for the applicant's medical condition.

The Sub-Committee considered all aspects of the application, including representations from the applicant, the Public Protection Officer, the Council's statement of policy concerning the relevance of criminal convictions in particular the relevance of part C of the Policy relating to Drunkenness and Drugs.

After careful consideration of all relevant factors, the Sub-Committee unanimously **RESOLVED to grant the application for a Private Hire Driver's Licence on the following conditions:**

- **The licence is to be granted for 12 months.**
- **The licence holder must contact the Council as soon as he has been employed as a driver, confirming his status(i.e. self-employed, associated with a taxi firm or the Hackney Carriage taxi trade), giving details of that taxi firm.**
- **After 6 months of taxi driving, the licence holder will complete the Council's medical questionnaire.**
- **The Council's Public Protection Officers will consider the response to the questionnaire. If the licence holder's doctor confirms he is fit to drive, the Public Protection Officers are given delegated authority to allow the licence to continue. However, if there are issues which are highlighted as a concern in the medical, the matter will be referred to a future General Licensing Sub-Committee.**

Chair

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Report of	Meeting	Date
Director People and Places	Licensing and Public Safety Committee	March 2010

TAXI UNMET DEMAND SURVEY

PURPOSE OF REPORT

1. To advise Members of the conclusions and recommendations arising from the Taxi Unmet Demand Survey undertaken in November 2008.

RECOMMENDATION(S)

2. It is recommended that:
 - The current number of hackney plate licenses be maintained at 37.
 - The Council reviews its hackney taxi rank provision with regard to disability access issues and locations.
 - The Council implements a scheme to encourage appropriate driver training in customer care through the taxi driver licence regime.

EXECUTIVE SUMMARY OF REPORT

3. In November 2008 the Council commissioned a survey to study the use and demand on the hackney taxi service provided in Chorley through the Councils licensing regime. The report was received in late 2008 and the Licensing Team at that time determined to await the results of Government report on the application of the DDA to hackney provision which was due mid 2009.
4. In the event the Government study and consultation on DDA and Hackneys was delayed and a report was only published by The Department for Transport in August 2009. The conclusions of that consultation have not resulted to date in any prescribed changes to hackney provision and Members should now consider the Unmet Demand Survey results.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

5. To ensure the Council acts on the recommendations arising from the Taxi Unmet Demand Survey.

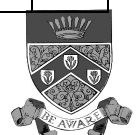
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. None

CORPORATE PRIORITIES

7. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the		Develop local solutions to climate change.	
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Central Lancashire sub-region			
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	√
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	√

BACKGROUND

8. The Taxi Unmet Demand Survey was undertaken in November 2008 and the full 107 page report can be viewed on the Loop at <http://theloop/section.asp?catid=12252&docid=21042>
9. The conclusions and recommendations are reproduced below in italics:

Key Conclusions

- *On the basis of the analyses conducted we conclude that significant unmet demand for Hackney Carriages in Chorley Borough **does not exist** at this time.*
- *In general availability and responsiveness was confirmed as satisfactory by the rank observations, on street surveys and consultation undertaken. The overall supply of taxis seems to be adequate with 1 per 630 people in the Borough, although the Hackneys per capita (1:2756) is somewhat above average compared to the 100 other authorities cited (1:1669).*
- *While there is no significant unmet demand identified, based on the consultation undertaken there are some who require a wheelchair accessible vehicle that sometimes encounter difficulties obtaining these, in particular at peak times. This implies there may be some latent demand for such vehicles, although the scale of this demand appears to be relatively small. No wheelchair users were observed waiting for a Hackney at ranks.*
- *Both Hackneys and PHVs are most likely to be used for leisure trips and to a lesser extent for shopping. PHV's are also commonly used to access health facilities and work/education while Hackneys are less likely to be used for this purpose. There were 33% of on street survey respondents who said they had never used a taxi.*
- *Overall the majority consider they obtain value for money for the fare they pay taxi operators. The average cost of a one way journey was £8.00 – some £2.10 above the cost of a 3 mile daytime trip. Estimates of the cost of a 3 mile journey averaged £4.70, £1.20 lower than the actual cost of £5.90.*
- *By far the busiest rank with respect to passenger departures is High Street 1, which in turn is fed primarily by High Street 2, although the second highest number of passenger departures were also recorded from the latter. All other ranks operate at levels significantly lower than this with Market Street being the busiest of the 3 remaining ranks. Use of the Cleveland Street rank is negligible and no use was observed at the Bus Station rank. Peaks in passenger demand occur both during the week and at weekends at around 11.00am, 15.00pm and 24.00pm.*
- *Overall there are an estimated 3,402 passenger departures per week from ranks, but this reflects only 10.8% of the overall market for taxis and Private Hire Vehicles. 3.1% are flag downs with the remaining 86% pre booked by telephone.*
- *Survey respondents said they waited on average 2.2 minutes at a rank for a taxi, while observations suggested the actual waiting time was only 0.07 minutes. Delays were not regarded as causing any significant dissatisfaction. Dissatisfaction with delays was greatest on Friday and Saturday evening. The average taxi waiting time at ranks is 10.82 minutes.*
- *Car availability is the major reason cited by consultees and survey respondents for not using Hackneys. However, the ability to walk/cycle or use the bus was also an important alternative to Hackney use for some. There were nearly 14% of on street survey respondents that specifically said they had no need to use a Hackney, while just over 4% that said they preferred to use a PHV.*
- *Informal observations at the rail station identified activity by up to 18 different taxis across a total of 6 hours at this location. A Queue of taxis also built up on 10 separate occasions. The rail station was also highlighted by respondents to*

the on street survey and by written consultation with both operators and other stakeholders, as somewhere an additional rank would be particularly welcome.

- Consultation with the trade highlighted a desire on their part to make the Market Street rank a 24 hour rank and use this during the day as a further feeder for the High Street rank. In return they would be prepared to give up the Cleveland Street rank which could then be used for disabled parking. The rank observations undertaken confirm that the latter rank is hardly used.*
- Available facilities at the ranks are limited in terms of waiting facilities, namely, seating and shelters, and information for taxi users.*
- The on street survey suggested that awareness of the difference between Hackneys and PHVs was low and that a significant proportion judged the difference between the two by looking at other attributes (such as livery) besides the plate and roof sign.*
- Disabled people and those stakeholders working with them would welcome driver training in manual handling and disability awareness for drivers. Information on where potential users could obtain a wheelchair accessible taxi would also be useful.*
- Further guidance for licensing officers in general is due to be issued by DfT in the near future and they also intend to consult on how taxis should meet the requirements of DDA 2005.*
- Lancashire County Council are keen to see improvements in driver training, operating standards and to support the development of Quality Taxi Partnerships.*

Recommendations

- Based on our analyses, Chorley Borough Council has the discretion to either:

 - i) maintain the limit at the current level of 37 Hackney licences;*
 - ii) issue that number of Hackney Carriage licences as it sees fit; or*
 - iii) remove the current limit on Hackney Carriages (de-limitation)**
- If there is to be any change, to the current policy, this should be considered following the issue of DfT guidance to licensing authorities proposed for the near future.*
- That any change to the vehicle specifications to require more or all Hackneys to be wheelchair accessible vehicles should only be considered following the outcome of DfT consultation proposed for the near future. In the absence of this, it is recommended that improvements in the accessibility of vehicles and services are encouraged on a voluntary basis or required when vehicles are renewed.*
- It is recommended that negotiations take place with the Railway Station operator to provide a rank on a trial basis for a period of approximately 6 months. Activity during the pilot period should be monitored and the sustainability of the rank and any charge for its use (if operated as a private rank) be decided based on the results of this monitoring.*
- To address service accessibility, service quality and standards of customer care issues identified consideration should be given to:*

In the short term

- encouraging drivers to seek assistance from the Train to Gain programme to pursue NVQ2 training, ensuring manual handling and disability awareness training are included in the programme*
- providing information on the difference between Hackneys and PHV's and promoting the use of the recently introduced vehicle livery to distinguish between these*
- monitoring of this through customer surveys and random mystery passengers*

In the longer term

- consideration of a more comprehensive quality taxi partnership (QTP) approach to increase liaison between licensing authority, police, other stakeholders and operators, provide a framework for bringing about mutually beneficial improvements across the taxi sector and a quality mark to participating operators, as has been found to be effective in other authorities.*

o the framework provided by a QTP would also be useful for facilitating discussion on how best to optimise supply to address peaks in demand, delays in arrival times, congestion issues at ranks such as that in High Street and the formation of a standard framework for taxi commissioning.

- The licensing authority should consider the Taxi Association request to make Market Street rank a 24 hour rank and free up Cleveland Street for disabled parking.
- The licensing authority should provide information on which companies operate wheelchair accessible vehicle/s.
- The licensing authority should address the shortcomings in facilities at ranks, identified by the rank audit, in order to be sure all ranks comply with DDA, part 3, and to meet needs of users.
- The licensing authority should issue any guidance to taxi operators on how to address safety and security issues, due to be provided by government, following publication of their research into this issue.
- The anticipated useful life of the current survey is three years and we would recommend a further survey in Autumn 2011 in line with current Government guidance
- Future Transport Strategies and policy documents should take account of this report.

CONSIDERATION OF RECOMMENDATIONS

10. Hackney Plate Levels – the recommendation arising from the survey proposes 3 options. Maintain the status quo; ‘derestrict’ the number of hackney plates available or set the hackney plate number to a level the Council sees fit. Since the current level of hackney plates appears to be sufficient for the current demand it is therefore recommended that the hackney plate numbers are retained at thirty seven.
11. Taxi Rank Changes – the survey indicated that provision of a taxi rank at Chorley Railway Station may ease the waiting times experienced by travellers and the queues of taxis at peak times. In addition the survey indicated that the Council should review its taxi rank provision in the light of user experience as well as the current location of some ranks. It is recommended that a review of taxi rank provision be undertaken in 2010 and a full report and recommendations made to Members
12. Driver Training – the survey identified a training need for taxi drivers to ensure they are fully conversant with customer service requirements. It is recommended that a review of the taxi driver licence conditions be undertaken in consultation with the taxi trade and its representatives to establish how this training need can be most appropriately met.
13. Disability Discrimination Act 2005 – the final recommendations from Government are still awaited on the implications of disability discrimination legislation for taxi provision. In the meantime officers will ensure operators, proprietors and drivers are made aware of their obligations and the Council will seek to encourage operators and proprietors to provide vehicles which facilitate disabled access when new vehicles are brought into the fleet.

IMPLICATIONS OF REPORT

14. This report has implications in the following areas and the relevant Directors’ comments are included:

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

COMMENTS OF THE DIRECTOR OF POLICY PERFORMANCE AND PLANNING

15. Disability representatives from the Council's Equality Forum took part in the survey. Any future proposals with regards to disability access issues and location once recommendations from government on the implications of disability discrimination legislation for taxi provision are received, the Equality Forum is an ideal vehicle for consulting on such proposals prior to implementation. In the meantime, information regarding where potential users can obtain a wheelchair accessible taxi can be shared at the next Equality Forum in April and be included on the Equality section of the Council's website.

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	20 January 2010	Unmetdemand

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Report of	Meeting	Date
Director People and Places	Licensing and Public Safety Committee	10 March 2010

HACKNEY PLATE ALLOCATION

PURPOSE OF REPORT

1. To inform Members of the availability of a Hackney Plate and provide an opportunity to determine its allocation by way of a tombola style draw.

RECOMMENDATION(S)

2. It is recommended that the available Hackney Plate be allocated to an appropriate operator following a 'tombola' style draw of all interested parties and subject to a satisfactory application that meets the Councils conditions for the issue of a Hackney Plate from the 'winning' interested party.

EXECUTIVE SUMMARY OF REPORT

3. The Council has a total of 37 Hackney Plates available for allocation to operators who satisfy the Councils hackney carriage conditions. Currently 36 hackney plates are allocated and in use. In late 2008 the Council revoked the currently available Hackney Licence from its holder due to them failing to renew the licence in a timely manner following unreported accident damage to the vehicle.
4. At a meeting of the Licensing and Public Safety Committee on 11 March 2009 Members received a report indentifying a hackney plate that had become available for reallocation and Members resolved to use a 'tombola' style process to reallocate the hackney plate to a suitable applicant. The previous holder of the Hackney Licence was seeking to persue legal action against the Council for its action in revoking the licence and hence this has delayed its reallocation until now.
5. The Councils Public Protection Team in consultation with the Head of Governance have invited all existing persons holding a current Chorley taxi drivers licence to express their interest in making a full application for the hackney plate. This was done by way of a pre requisite questionnaire and all interested parties who meet the prerequisites are presented by way of sealed envelope for the 'tombola' draw.
6. The Chair of the Licensing and Public Safety Committee is invited to conduct a tombola style draw from all the sealed applicants who have met the Councils prerequisites.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

7. To ensure a fair and open allocation of a hackney plate

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. Withdrawing the plate from availability was rejected on the basis of the recent Taxi Unmet Demand Survey which concluded that the Council should consider retaining the current level

of hackney plates.

CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	√
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	√

BACKGROUND

- 10. The Council operates a Hackney Carriage licensing service on the basis of a restricted number of Hackney Plates being available. The current number of plates allocated is 36 with an additional single plate now available for allocation.
- 11. The Licensing and Public Safety Committee have previously determined that the Council should allocate this plate by way of a tombola style draw.
- 12. Expressions of interest in applying for the plate have been received from a total of 24 persons by way of a postal prerequisite application stage which was conducted by the Councils Public Protection Team in consultation with the Councils Head of Governance.
- 13. Invitations to apply were sent to all existing Chorley Council taxi driver licence holders with a closing date of 5pm Wednesday 3 February 2010.
- 14. Following the closing date the expressions of interest were evaluated by the Head of Environment, Public Protection Team Leader with two colleagues from the Councils Shared Service Procurement Team as observers.
- 15. Appendix A highlights the 23 expressions of interest received and indicates the 8 applicants who have met the evaluation criteria and will go forward into the tombola style draw.
- 16. Appendix B is a copy of the expressions of interest criteria that were determined and used to evaluate the expressions of interest received. A copy of these criteria was sent to all Chorley Council Taxi Driver Licence holders.

IMPLICATIONS OF REPORT

17. This report has implications in the following areas and the relevant Directors' comments are included:

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

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	20 January 2010	plate

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**HACKNEY CARRIAGE
SHORT LISTING OF INTERESTED PERSONS**

THE RESULTS

Applicant No	Name	Chorley Resident	Accept / Reject	Comments (If rejected only)
1	Mr Zafar Khan	Yes	Accept	
2	Mr Gilwan Mohamed	Yes	Reject	Unsuitable vehicle details provided: Model and age.
3	Mr Yusuf Desai	Yes	Reject	No proposed vehicle details
4	Mr Shoaib Desai	Yes	Reject	No proposed vehicle details
5	*** VOID- Blank application form ***			
6	Mr James Valentine	No	Reject	Not Chorley Resident
7	Mrs Wendy Anne Jones	Yes	Reject	No proposed vehicle details
8	Mr Ayyub Mohammed Adam Patel	Yes	Reject	No proposed vehicle details
9	Mrs Zohra Essa	Yes	Accept	
10	Mrs Nusrat Yasmeen	Yes	Accept	
11	Mr Yassar Ashraf	No	Reject	Not Chorley Resident
12	Mr Sajid Yusuf Patel	No	Reject	Not Chorley Resident + age of vehicle (Manufacture 2004)
13	Mr Fazail Ahmed	Yes	Accept	
14	Mr Shamail Iyaz Ahmed	No	Reject	Not Chorley Resident

APPENDIX A

15	Mr Muhammad Shahbaz	Yes	Accept	
16	Mr Philip George Terry	Yes	Accept	
17	Mr Mohammad Afzal	No	Reject	No proposed vehicle details & not Chorley resident
18	Mr Abdul Qaddir Shafiq	Yes	Reject	No proposed vehicle details
19	Mr Akeel Ahmed	Yes	Accept	
20	Mr Habib Ben Slimane	Yes	Reject	No proposed vehicle details
21	Mr Yasar Mahmood	Yes	Reject	No proposed vehicle details
22	Mr Fazeel Ahmed	Yes	Accept	
23	Mr Shakail Ahmed	Yes	Reject	**Two applications from no 71. Mr S.Ahmed agreed that his application should be removed to ensure that Akeel remains in the ballot. ***

APPENDIX B

Our Ref: /Hackney Plate

Your Ref:

Date: ***** 2010

Dear Operator / Driver

HACKNEY CARRIAGE VEHICLE LICENCE AVAILABLE

I write to inform you that the council are in a position to allocate one hackney carriage vehicle licence. The process for allocating the licence has been agreed by the Licensing and Public Safety Committee to ensure it is fair and transparent.

I have enclosed the conditions of application along with this letter and we are initially requesting that suitable candidates express their interest in applying for the licence by 5pm on Wednesday 3rd February 2010. If you feel you meet the conditions and are interested in applying for the licence, please complete the attached form and return it as indicated.

If more than one applicant satisfies these criteria, their names will be placed in sealed envelopes and then placed into a tombola type box under the scrutiny of the Chair and Vice Chair of Licensing and Public Safety Committee. One name shall be drawn from the box at the committee meeting on 10th March 2010 and a second place name shall be drawn as reserve should the first selected applicant fail to meet the full application conditions by 5th May 2010 (two months).

If you have any questions regarding this letter please do not hesitate to contact the Public Protection Team at Chorley Council on 01257 515151 or alternatively email licensing@chorley.gov.uk

Yours sincerely

Mr Paul Carter
Public Protection Co-ordinator
email: paul.carter@chorley.gov.uk
Tel: (01257) 515151

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GUIDANCE FOR PERSONS INTERESTED IN OBTAINING A HACKNEY CARRIAGE LICENSING

1. The Council is issuing one (1) wheelchair accessible Hackney Carriage licence. Only one entry from each address will be considered.
2. A licence will only be issued in respect of a purpose built Hackney Carriage vehicle and purpose built to accommodate wheelchair disabled passengers, which is defined as follows:

A wheelchair accessible vehicle means, "a vehicle purpose built by the manufacturer or adapted prior to registration in a manner approved by the manufacturer and Chorley Borough Council and has obtained the appropriate vehicle type approval". The vehicle must provide access for a wheelchair through the near side or offside doors. Vehicles with rear door access will not be acceptable. Any door used for wheelchair access must be capable of opening as wide as the aperture. An approved method to secure both the wheelchair and the wheelchair occupant must be provided; additional high visibility handholds and additional steps must be provided for the assistance of elderly and ambulant disabled people; ramps or other means (mechanical lift) must be employed with the vehicle for the loading/un-loading of wheel chairs. In all cases any ancillary fittings will be Type 1 approved or equivalent. The Councils Conditions of application for Hackney Carriages remain unchanged save that, the requirement for the words "Chorley Borough Council" will not apply on the forward or rear face of the top sign where the sign is purposely built into the structure of the vehicle.

3. It will be a condition of the issue and annual renewal of the licence that the vehicle, and any subsequent replacement vehicle, shall be wheelchair accessible as defined above.
4. Any driver of the wheelchair accessible vehicle licensed will be required to demonstrate that he/she has either undertaken or has made arrangements for persons with disability training and will have successfully completed a recognised course.

Note: Under the Disability Discrimination Act 1995, the Secretary of State may make "taxi accessibility regulations"; containing detailed specifications for hackney carriages. These specifications are likely to be phased in over a period of time, and will eventually apply to all hackney carriages, although as yet it is not known when. The Regulations have not yet been made, and it should be noted that the Council cannot guarantee that a vehicle which complies with its own definition of "wheelchair accessible" will necessarily comply with future taxi accessibility regulations.

APPENDIX B

5. In addition to the existing fees for a hackney carriage licence there is also the additional fee of £294.02 for this licence, which is 1/37 of unmet demand survey 2008. The successful applicant must pay this additional fee.
6. The following criteria have been set for the allocation of the licence:
 - a) Every vehicle shall be a London style taxi such as TX2, Metrocab, or other models at the satisfaction of the council.
 - b) Vehicles shall be no more than two years old from date of manufacture or date of first registration whichever is the earlier.
 - c) Vehicles must be purpose built hackney carriage vehicle and purpose built to accommodate wheelchair disabled passengers.
 - d) Vehicles shall be properly insured and proof of insurance i.e. policy or appropriate cover note to be produced to the Council either upon application or before the issue of the licence. Where a cover note is provided, the policy must be produced within 7 days.
 - e) Applicants must confirm that he or she has not previously transferred, surrendered or had revoked a hackney carriage vehicle licence within the last 5 years.
 - f) The applicant is required to be an owner/driver or an intended owner/driver and must demonstrate proof of proprietorship or intended proprietorship of their vehicle. The vehicle licence will be awarded on a sole proprietorship basis.
 - g) The applicant must be registered on the electoral register in Chorley as of 1st December 2009.
 - h) Applicants must have held a private hire or hackney carriage driver licence issued by Chorley Council for more than 12 months at the time of application. **Existing hackney carriage vehicle licence holders cannot apply for the grant of this licence.**
 - i) The winning applicant must present a suitable vehicle for inspection and pass the Councils Taxi Test within two months of the date of notification of the determination of this application. Failure to do this will result in the offer being withdrawn and the reserve applicant will be allowed to complete the application for the licence where a further two month time restriction will be applied as above.
 - j) Any other considerations, which may fairly and reasonably relate to the grant of a hackney carriage licence and appear to the Council to be relevant; including the proposed operation of the vehicle in respect of the hours/area to be worked, may be taken into account.
 - k) Save in exceptional circumstances, the transfer of the licence will be prohibited for a period of 5 years from first application.
 - l) The applicant must not currently be declared bankrupt or have been excluded from being a director of a business by order of any court within the last 3 years.

APPENDIX B

- m) The applicant must be free from any driving convictions or penalty points and has none pending at the time of application, other than convictions that have been previously declared and/or considered by the council's licensing sub committee
 - n) The applicant must be free from any criminal convictions and has none pending at the time of application, other than convictions that have been previously declared and/or considered by the council's licensing sub committee.
7. If more than one applicant satisfies these criteria, their names will be placed in sealed envelopes and then placed into a tombola type box under the scrutiny of the Chair and Vice Chair of Licensing and one name shall be drawn from the box at the Licensing and Public Safety Committee on 10th March 2010. A second place name shall be drawn as reserve should the first selected applicant fail to meet the full application conditions by 5th May 2010 (two months).

It is anticipated that there will be more than one person interested in obtaining the additional plate and satisfy the above criteria. Applicants are asked at this stage to complete a 'registration of interest form'. **It will not** be necessary for a fee to be paid or a vehicle presented for testing until the new licence is allocated.

8. The 'registration of interest form' must be completed and returned in a sealed envelope, marked "CONFIDENTIAL" and for the attention of "Mr Paul Carter (Hackney Plate)" to the address at the bottom of this document by 5pm on Wednesday 3rd February 2010.

APPLICATION OF INTEREST FOR A WHEELCHAIR ACCESSIBLE MOTOR HACKNEY VEHICLE LICENCE TO PLY FOR HIRE IN THE BOROUGH OF CHORLEY



1	Full name of person making application	Title: Mr/Mrs/Miss/Ms		
	Forename(s)			
	Surname			
2	Permanent Address			
	and Post Code			
3	Telephone N°			
	Mobile			
	E-Mail			
4	<u>Details of proposed vehicle</u>			
	Registration (If known)	Year of Manufacture		
	Make	Model		
	Passenger capacity	Engine capacity		
	Is the vehicle purpose built for the carriage of wheelchairs?			Yes / No
	Was it adapted prior to registration			Yes / No
	Was the adaptation approved by the manufacturer (documentary evidence of this will be required)			Yes / No
	Will you own the vehicle? (proof of proprietorship or intended proprietorship must be supplied)			Yes / No
	Have you ever been convicted at a court or cautioned by the Police for any Offence			Yes / No
	Have you ever been convicted of any motoring or traffic offence?			Yes / No
5	If the answer to either of the above questions is YES, provide details of offences below including approximate date, the offence and the court or Police force which dealt with you and all relevant fixed penalties :			
	Date of conviction or fixed penalty	Court or Police force	Offence (s)	Sentence or order of court

6	Have you transferred, surrendered or had revoked a hackney carriage vehicle licence within the last 5 years?	Yes / No
7	Do you currently hold a hackney carriage vehicle licence issued by Chorley Borough Council	Yes / No
8	Have you held a private hire or hackney carriage drivers licence issued by Chorley Borough Council for 12 months or more at the time of application	Yes / No
	If yes please give number and date of issue of licence	
9	Are you currently declared bankrupt or have you been excluded from being a director of a business by order of any court within the last 3 years?	Yes / No
10	If there are there any other matters that you wish to mention that are relevant to this application please enter these below:	

Please read and sign declaration -

I wish to be considered for the issue of a new hackney carriage vehicle licence.

I have read and understood the guidance enclosed with this document, and I accept the terms and conditions contained therein.

The information, which I have given in this form, is true to the best of my knowledge and belief. I understand that the information I have given will be used by the Council to determine whether I may be allocated the vehicle licence, and that if I have knowingly or recklessly made a false statement or omitted any material particular, I may be liable to prosecution under Section 57(3) of the Local Government (Miscellaneous Provisions) Act 1976, and any licence granted may be revoked.

Signed _____ Dated _____

Please return to: CONFIDENTIAL
 Mr Paul Carter (Hackney Plate)
 People and Places Directorate
 Public Protection
 Chorley Council
 Civic Offices
 Union Street
 Chorley
 PR7 1AL

**Important Note: THE FORM MUST BE RETURNED BY 5PM
 ON WEDNESDAY 3rd FEBRUARY 2010**



Report of	Meeting	Date
Director of People and Places	Licensing and Public Safety Committee	10 March 2010

LICENSING PERFORMANCE QUARTER 3

PURPOSE OF REPORT

To present to Members the Quarter 3 performance for the Councils licensing function.

RECOMMENDATION

- Members are asked to note the report.

EXECUTIVE SUMMARY OF REPORT

- The Licensing and Public Protection Committee expressed a desire at its meeting on 16 September 2009 to receive a regular update report on the enforcement activity undertaken by the Councils Public Protection Team as well as details of licensing applications received and processed by the Neighbourhoods Directorate.
- Taxi enforcement for Quarter 3 (Oct – Dec 09): There have been 54 compliance checks on taxis resulting in the issue of 8 Defect Notices and 11 Suspension Notices. All Notices were complied with in the specified time periods and resulted in no further action being necessary.
- Enforcement activity on Quarter 3 resulted in thirty visits to licensed premises to check compliance with conditions and respond to complaints. These included joint visits with trading standards colleagues for the purposes of test purchasing. Eleven test purchases passed with only one failure which resulted in the issue of a ‘simple caution’ by the police to licence holder. The remainder of visits were made for the purpose of ensuring compliance with general licensing conditions applicable to those premises
- Administrative activity is summarised in the attached report at Appendix A

REASONS FOR RECOMMENDATION

(If the recommendations are accepted)

- To ensure that Members are kept informed of the licensing activity within the Councils Public Protection Team.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- None

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and		Develop the Character and feel of	



life chances		Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	√

IMPLICATIONS OF REPORT

9. This report has implications in the following areas and the relevant Directors' comments are included.

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

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	21 February 2010	Q3perf

APPLICATIONS LIST

General Licensing

Street Collection Permit

Total New Applications: 7

Total Street Collection Permit Applications: 7

General Licensing Total Applications: 7

APPLICATIONS LIST

Taxi Licensing

Hackney Carriage Driver Licence

Total Cancel/Surrender Applications: 2

Total New Applications: 8

Total Renewal Applications: 17

Total Hackney Carriage Driver Licence Applications: 27

Hackney Carriage Licence

Total Amendment Applications: 2

Total Renew/Transfer Applications: 1

Total Renewal Applications: 17

Total Transfer Applications: 3

Total Vehicle Change Applications: 1

Total Hackney Carriage Licence Applications: 24

Private Hire Driver Licence

Total Cancel/Surrender Applications: 2

Total New Applications: 13

Total Opr Change Applications: 1

Total Renewal Applications: 45

Total Private Hire Driver Licence Applications: 61

Private Hire Operator Licence

Total New Applications: 2

Total Renewal Applications: 2

Total Private Hire Operator Licence Applications: 4

APPLICATIONS LIST

Taxi Licensing

Private Hire Vehicle Licence

Total Cancel/Surrender Applications: 6

Total Amendment Applications: 3

Total New Applications: 18

Total Opr Change Applications: 2

Total Renew/Transfer Applications: 6

Total Renew/Transfer/VehCh Applications: 2

Total Renewal Applications: 46

Total Revocation Applications: 1

Total Transfer Applications: 4

Total Vehicle Change Applications: 3

Total Private Hire Vehicle Licence Applications: 91

Taxi Licensing Total Applications: 207

APPLICATIONS LIST

Licensing Act 2003

Personal Alcohol Licence

Total Change N/A Holder Applications: 6

Total New Applications: 13

Total Personal Alcohol Licence Applications: 19

Premises Licence

Total Cancel/Surrender Applications: 3

Total Change N/A Holder Applications: 8

Total Change Prem Name Applications: 1

Total Change Supervisor Applications: 24

Total Amendment Applications: 2

Total New Applications: 6

Total Transfer Applications: 13

Total Variation Applications: 2

Total Premises Licence Applications: 59

Temporary Event Notice - WITH Alcohol

Total Amendment Applications: 1

Total Temp Event Notice Applications: 35

Total Temporary Event Notice - WITH Alcohol Applications: 36

Licensing Act 2003 Total Applications: 114

APPLICATIONS LIST

Gambling Act 2005

Notification of Gaming Machines

Total Change of Na/Add Applications: 1

Total Int Amend Applications: 2

Total Notice of Intent Applications: 19

Total Notification of Gaming Machines Applications: 22

Small Society Lotteries

Total Change of Na/Add Applications: 1

Total New Applications: 1

Total Small Society Lotteries Applications: 2

Gambling Act 2005 Total Applications: 24

Total Applications: 352

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