

# Licensing and Safety Committee

**Wednesday, 5 April 2006**

**Present:** Councillor R Snape (Chair), Councillor Miss M Iddon (Vice-Chair) and Councillors T Bedford, Do Dickinson, Da Dickinson, M Lees, Mrs I Smith, E Smith, J Walker and Mrs S Walsh

## **06.LS.10 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors A Gee, T Gray, C Hoyle, L Lennox and T McGowan.

## **06.LS.11 DECLARATIONS OF ANY INTERESTS**

There were no declarations of personal or prejudicial interests by any of the Members in any of the agenda items.

## **06.LS.12 MINUTES**

The minutes of the meeting of the Licensing and Safety Committee held on 11 January 2006 were confirmed as a correct record for signature by the Chairman.

## **06.LS.13 ANNUAL REVIEW OF LICENCE FEES**

The Committee considered a report of the Deputy Director of Legal Services reviewing the Hackney Carriage and Private Hire Licence fees charged by the Council and recommending adoption of a revised fee structure with effect from 1 April 2006.

The report recommended that fees be increased in line with inflation and that private hire vehicle licences that are not renewed on or before the due expiry date be treated as new applications attracting a higher fee.

The report was accompanied by a schedule of comparative fees charged by neighbouring authorities.

### **RESOLVED:**

**(1) That the revised fees and charges for hackney carriages and private hire vehicle licences as outlined in the submitted report be approved for adoption with effect from 1 April 2006.**

**(2) That the fee for a 12 months hackney carriage licence be reduced by £40 in respect of wheelchair accessible vehicles and that the fee for new and renewed private hire vehicle licences be reduced by £18 in respect of wheelchair accessible vehicles.**

**(3) That the proposals to increase fees be advertised as statutorily required.**

## **06.LS.14 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED - That the press and public be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 12A to the Local Government Act 1972.**

## **06.LS.15 CRITERIA FOR ISSUE OF ADDITIONAL HACKNEY CARRIAGE VEHICLE LICENCES**

The Deputy Director of Legal Services presented a report seeking the Committee's determination of the criteria to be applied to the seven additional hackney carriage vehicle licences which the Committee had agreed to issue following consideration of an independent consultants' report into the demand for hackney carriage services in the Borough.

The Committee had agreed that the additional licences should be issued, subject to both mandatory criteria in relation to the vehicle and discretionary criteria relating to the applicants/proprietors. Subsequently, members of the trade and other interested parties had been consulted on the proposals and a summary of their responses was attached to the submitted report.

The new criteria recommended for adoption in respect of the seven new licences were aimed at increasing the provision of wheelchair accessible vehicles, assisting the differentiation between hackney carriage and private hire vehicles, and improving the quality and condition of the vehicle fleet.

**RESOLVED - That approval be given to the adoption of the following mandatory and discretionary criteria, as outlined as Appendix 1 to the submitted report, in respect of the seven new hackney carriage vehicle and driver licences authorised for issue on 29 April 2005:**

- 1) Every vehicle shall be a London style taxi such as TX2, Metrocab, or similar.
- 2) Vehicles shall be two years old or less than two years old from date of manufacture or date of first registration whichever is the earlier.
- 3) Vehicles must be purpose built hackney carriage vehicles and purpose built to accommodate wheelchair disabled passengers.
4. Vehicles shall be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity.
5. Vehicles shall be properly insured and proof of purchase be produced to the Council either upon application or before the issue of the licence.
6. Applicants should be able to prove to the Council that he or she has never previously sold/transferred a vehicle licence for money or moneys worth for gain or reward.
7. Preferentially, licences be issued to owner/drivers or intended owner/drivers upon their showing satisfactory proof of proprietorship or intended proprietorship of their vehicle.
8. Preferentially, applicants should be a current hackney carriage driver within Borough of Chorley.
9. Preferentially, the number of years an applicant has been driving a hackney carriage vehicle within the Borough of Chorley shall be taken into account.
10. Preferentially, applicants' fitness, including previous motoring and other criminal convictions, shall be taken into account.
11. 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.

(The meeting was re-opened to the press and public at this stage)

#### **06.LS.16 APPLICATION FOR LICENCE FOR HOUSE TO HOUSE COLLECTION**

The Deputy Director of Legal Services submitted a report on an application by UK Recycling Assistance for a licence under the House to House Collections Act 1939 to conduct a house to house collection in the Borough between 24 April and 13 May 2006. The application had indicated that the purpose of the collection was to provide funds for the Rainbow Trust, a registered children's charity providing family centred care.

As UK Recycling Assistance was not a registered charity, the Committee were requested to consider whether the applicants had put forward exceptional reasons to warrant the granting of a licence to the organisation for a house to house collection, having regard to the amount proposed to be given to the charity.

A representative from UK Recycling Assistance attended the meeting to support the organisation's application, indicating that 15% of the turnover realised would be donated to the charity.

The Committee, after taking account of the applicants' representations, and supporting documentation:

**RESOLVED - That the application from UK Recycling Assistance be refused for the following reasons:**

- 1. The applicants have not advanced sufficiently exceptional circumstances to warrant an exception from the Council's policy to refuse a licence to an organisation that is not a registered charity.**
- 2. The applicants have not produced satisfactory evidence to prove that the amount to be donated to the Rainbow Trust Children's Charity will be sufficiently adequate.**

#### **06.LS.17 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 1 of Part 1 of Schedule 12A to the Local Government Act 1972.**

#### **06.LS.18 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES - MR AS**

The Committee received a report of the Deputy Director of Legal Services on an application from Mr A S for a licence to drive hackney carriage/private hire vehicles. Information from the Criminal Records Bureau had revealed information that would need to be assessed by the Committee before determining the application.

The Committee was advised that the applicant, who wished to make representations before the Members, was unable to attend the meeting.

**RESOLVED - That consideration of the application be adjourned to a future meeting to allow an opportunity for the applicant to attend in support of his application.**

Chair