
Chief Executive's Office

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Date: 29 September 2006

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

LICENSING AND SAFETY COMMITTEE - WEDNESDAY, 11TH OCTOBER 2006

You are invited to attend a meeting of the Licensing and Safety Committee to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 11th October 2006 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 the 20 September 2006 (enclosed)

4. **Licensing and Registration - Licenses Issued from 1 September 2006 to 22 September 2006 (Pages 5 - 8)**

Report of Director of Customer, Democratic and Legal Services (enclosed)

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

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

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

Continued....

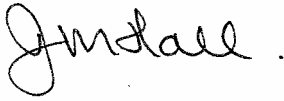
7. **Private Hire Driver - Complaint Of Inappropriate Behaviour** (Pages 9 - 14)

Report of Director of Customer, Democratic and Legal Services (enclosed)

8. **Private Hire Operator Allowing Vehicles To Be Used In Dangerous Condition**
(Pages 15 - 20)

Report of Director of Customer, Democratic and Legal Services (enclosed)

Yours sincerely



Chief Executive

Distribution

1. Agenda and reports to all Members of the Licensing and Safety Committee (Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair), Councillors Thomas Bedford, Henry Counce, Magda Cullens, David Dickinson, Doreen Dickinson, Anthony Gee, Daniel Gee, Keith Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape, John Walker and Mrs Stella Walsh) for attendance.
2. Agenda and reports to Andrew Docherty (Director of Customer, Democratic and Legal Services), Claire Hallwood (Deputy Director of Legal Services), Rosaleen Brown (Legal Services), Janet Brereton (Legal Assistant (Licensing and Registration)), Howard Bee (Licensing Manager), Gordon Bankes (Democratic Services Officer) and Keith Ogden (Enforcement Officer) for attendance

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

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

01257 515823

کیجئے:

Licensing and Safety Committee

Wednesday, 20 September 2006

Present: Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Thomas Bedford, Henry Caunce, Doreen Dickinson, Daniel Gee, Keith Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Ralph Snape, John Walker and Mrs Stella Walsh

06.LS.42 APOLOGIES FOR ABSENCE

Apologies for absence were received by Councillors Magda Cullens, David Dickinson, Anthony Gee and Thomas McGowan

06.LS.43 DECLARATIONS OF ANY INTERESTS

No declarations of interest were received.

06.LS.44 MINUTES

The minutes of the meeting of the Licensing and Safety Committee held on 19 July 2006 were confirmed as a correct record for signing by the Chair.

06.LS.45 CHORLEY COMMUNITY SAFETY PARTNERSHIP ALCOHOL STRATEGY

The Committee were informed that Alison Crook from the Chorley and South Ribble Primary Care Trust, was no longer in post and her replacement had not yet been appointed.

RESOLVED – That this item would be deferred to a future meeting of this Committee.

06.LS.46 LICENSING AND REGISTRATIONS-LICENSES ISSUED

The Committee received a report of the Director of Customer, Democratic and Legal Services on the various licences and permits issued and the registration affected by the Licensing Section for the period 1 July 2006 to 31 August 2006.

RESOLVED – That the report be noted.

06.LS.47 CHANGE OF LICENSE CONDITION-ROOF SIGNS ON HACKNEY CARRIAGE VEHICLES

The Committee received a report of the Director of Customer, Democratic and Legal Services asking Members to consider a change to the licence condition relating to the wording on roof signs on hackney carriages following the recent change of the Council logo.

At the meeting of the Licensing Liaison Panel the views of the local hackney association were sought and they had expressed an opinion to keep the present wording.

As there was no legal reason to change the signs, Members felt that it was unnecessary for the taxi drivers to incur the costs of changing the roof signs.

RESOLVED - That the wording on the taxi top signs would remain as Chorley Borough Taxi.

06.LS.48 TESTING OF LICENSED VEHICLES - AMENDMENT TO PROCEDURE

The Committee received a report of the Director of Customer, Democratic and Legal Services seeking approval to amend a previous Committee minute regarding the procedure for licensing vehicles that are over the Council's age limit.

It was a condition of hackney carriage and private hire vehicle licences that "on the vehicle reaching the age of eight years from the date of manufacture, the licence for the vehicle shall normally no longer be eligible for renewal"

It was proposed to rewrite the minute to remove any ambiguity.

RESOLVED – 1) That paragraphs iii and iv of minute 02.LS.20 be amended to read as follows:

“ iii) Vehicles that have reached the “age limit” of eight years can only be submitted for a taxi test provided that they have been produced, by appointment, for inspection by a member of the Licensing Section and the vehicle is considered suitable.”

“ iv) When the vehicle is submitted for a taxi test following a Licensing Office inspection the vehicle may be licensed for a four month period only, provided that the vehicle passes a taxi test on the day that it is first presented for test.”

2) That the following condition remains unchanged

“ Should the vehicle fail the taxi test it will not be eligible for licensing.”

06.LS.49 LICENSING LIAISON PANEL

The Chair accepted as urgent consideration of this item, not included on the agenda in order to inform Members of the items recently discussed at the Licensing Liaison Panel held on 18 September 2006.

RESOLVED – That the minutes be noted.

06.LS.50 EXCLUSION OF THE PUBLIC AND PRESS

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

06.LS.51 PRIVATE HIRE DRIVER-COMPLAINT OF INAPPROPRIATE BEHAVIOUR

The Committee received a report of the Director of Customer, Democratic and Legal Services bringing Members attention to a complaint that had been made against a private hire driver Mr HBK (DOB 10/1/57).

Members were being asked to consider the allegations and to determine whether or not he was considered to be a fit and proper person to hold a private hire driver's licence.

The Committee were advised that the applicant, who had been invited to make representations before the Members, was unable to attend the meeting.

RESOLVED – 1) That consideration of the report be deferred to the next meeting of the Committee to be held on 11 October 2006, to allow an opportunity for the applicant to attend and give representation.

2) That because of the seriousness of the allegations, the suspension of his private driver's licence continues until the outcome of a hearing.

06.LS.52 PRIVATE HIRE OPERATOR - ALLOWING VEHICLES TO BE USED IN A DANGEROUS CONDITION

The Committee received a report of the Director of Customer, Democratic and Legal Services bringing to the attention of Members that a private hire vehicle had been presented for a taxi test in a dangerous condition.

A Vehicle Suspension Notice had been served on the proprietor of the vehicle and he had been requested to attend to explain how the licensed vehicle was allowed to be used in such condition.

Members were notified that the operator was unable to attend the meeting.

RESOLVED – That consideration of the report be adjourned to a future meeting to allow an opportunity for the operator to attend.

06.LS.53 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES WITHIN THE BOROUGH OF CHORLEY - MR J W (DOB - 8/06/51)

The Chair accepted as urgent, consideration of this item not included on the agenda in order for Members to determine an application to drive a hackney carriage/private hire vehicle.

The Director of Customer, Democratic and Legal Services submitted a report on an application from Mr J W for a licence to drive hackney carriage/private hire vehicles. Information from the Criminal Records Bureau had revealed information relating to convictions that would need to be assessed by the Committee before determining the application.

The applicant attended the meeting to put forward representations in support of his application and the Committee carefully considered the representations made.

RESOLVED – That a private hire drivers licence be granted to Mr J W.

Chair

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Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	Licensing & Safety Committee	11 October 2006

LICENSING AND REGISTRATION LICENCES ISSUED FROM 1 SEPTEMBER 2006 TO 22 SEPTEMBER 2006

PURPOSE OF REPORT`

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

CORPORATE PRIORITIES

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

RISK ISSUES

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

Strategy		Information	4
Reputation		Regulatory/Legal	
Financial		Operational	
People		Other	

This report is for information only.

SECOND HAND GOODS

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

HACKNEY CARRIAGES, PRIVATE HIRE REGISTRATIONS

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

Number of	New	Renewals	Transfers	Vehicle Change
Private Hire Vehicles	4	16	1	2
Private Hire Drivers Licence	1	9	0	0
Private Hire Operator	0	7	0	0
Hackney Carriage Drivers Licence	1	2	0	0
Hackney Carriage Vehicle	0	3	0	2

HOUSE-TO-HOUSE COLLECTIONS

6. There has been 1 application granted for House to House Permits during this period.

STREET COLLECTION PERMITS

7. There has been 1 application granted for Street Collection Permits during this period.

LOTTERIES AND AMUSEMENTS ACT 1976 (AS AMENDED)

8. There have been no Lottery permits issued.

MOTOR SALVAGE OPERATOR

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

ENFORCEMENT VISITS FOR PERIOD FROM 01 SEPTEMBER 2006 TO 22 SEPTEMBER 2006

10. During the above period 11 visits have been made to premises in connection with licensing matters. The majority of visits have been routine except for a visit to the offices of Chorley Private Hire following information from the Council's Environmental Health Unit. The enforcement officer was initially refused admission to the premises but visited the following day with the licensing manager when a number of issues were discussed with the operator Mr Younis and Mr Khalid Sohail.

SUSPENSION OF VEHICLES

11. No licences have been suspended during this period

INVESTIGATION OF COMPLAINTS

12. 2 complaints have been received during this period, both of which were resolved

JOINT OPERATIONS

13. No joint operations have been carried out during this period.

Report compiled 27 September 2006
Keith Ogden
Licensing Enforcement Officer

COMMENTS OF DIRECTOR OF FINANCE

14. There are no comments from the Director of Finance.

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES

15. There are no comments from the Director of Human Resources

RECOMMENDATION(S)

16. Members are asked to note the report

ANDREW DOCHERTY
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

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

Report Author	Ext	Date	Doc ID
Jayne Day	5161	29 September 2006	LEGREP/93443LM

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