

# Licensing and Safety Committee

Wednesday, 22 November 2006

**Present:** Councillor Mrs Iris Smith (Chair), and Councillors Thomas Bedford, Henry Counce, Magda Cullens, David Dickinson, Doreen Dickinson, Anthony Gee, Keith Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape, John Walker and Mrs Stella Walsh

## 06.LS.61 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Edward Smith (Vice Chair) and Councillor Daniel Gee.

## 06.LS.62 DECLARATIONS OF ANY INTERESTS

Councillor Mrs Stella Walsh declared an interest later on in the meeting under Minute 06.LS.70.

## 06.LS.63 MINUTES

The Minutes of the meeting of the Licensing and Safety Committee held on 11 October 2006 were confirmed as a correct record and signed by the Chairman.

## 06.LS.64 PRESENTATION ON CHANGES TO ALCOHOL RELATED CRIME

The Committee received a short presentation from Inspector Ian Roberts from Lancashire Constabulary informing Members on changes to alcohol related crime.

He reported on the recent two days of action relating to Operation Nimrod and the arrests and the charging of individuals involved in drugs related crime.

Members noted that there had been a reduction in violent crime compared with that of 5 years, however, he reported on the problems associated with access to alcohol for those under 18 years old. The Police had been working with the Council's MAPS team as there was becoming a real need for a street ban on the drinking of alcohol.

There was also a problem of excessive drinking in pubs and a request was made for possible conditions to be introduced to reduce the binge drinking culture.

The Committee welcomed the information received and thanked Inspector Roberts for attending the meeting.

## 06.LS.65 CONSIDERATION OF CHANGE OF CRITERIA - ADDITIONAL HACKNEY CARRIAGE LICENCES

The Committee received a report of the Director of Customer, Democratic and Legal Services requesting Members to reconsider an agreed criteria to be applied to additional hackney carriage vehicle licences.

The report indicated that the Committee had previously agreed on 5 April 2006 a criteria for the issue of seven additional hackney carriage licences identified by a survey as being required to meet the needs of disabled people in the Borough.

It was considered that the criteria that had been agreed could result in a legal challenge and it was appropriate to reconsider the criteria before any further action was taken regarding the issue of the seven additional hackney carriage plates.

The change in the criteria would enable vehicle proprietors to have a choice of suitable vehicles whilst the Council will be able to maintain a high standard of vehicular accessible vehicles. By specifying that the vehicles must be new or less than 500 miles would ensure that conversion had been carried out to the latest specifications.

**RESOLVED – That the following criteria be approved to replace numbers 1, 2 and 3.**

**i) Every vehicle shall be either a purpose built hackney carriage or a vehicle adapted as a hackney carriage suitable for the carriage of disabled persons by a recognised conversion company. The vehicle must have undergone either European Type Approval or have Volume Type Approval.**

**ii) Vehicles must be new or have covered no more than 500 miles.**

**06.LS.66 LICENSING AND REGISTRATION LICENCES ISSUED FROM 23/9/06 TO 1/11/06**

The Committee received a report of the Director of Customer, Democratic and Legal Services on the various licences and permits issued and the registrations affected by the Licensing Section for the period 23 September 2006 and 1 November 2006.

**RESOLVED – That the report be noted.**

**06.LS.67 ANNUAL REVIEW OF LICENCE FEES**

The Committee considered a report of the Director of Customer, Democratic and 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 2007.

The aim was to increase fees by approximately 3% in line with inflation for the next financial year in order to maintain the standard of service.

**RESOLVED – 1) That the revised fees and charges for the hackney carriages and private hire vehicle licences as authorised in the submitted report be approved for adoption with effect from 1 April 2007.**

**2) That the proposals to increase fees be authorised as statutorily required.**

**06.LS.68 PRIVATE HIRE OPERATOR ALLOWING VEHICLES TO BE USED IN A DANGEROUS CONDITION**

Further to Minute 06.LS.60, 11 October 2006 the Committee were informed that the operator had now completed the required tests on the vehicles however the daily defects sheets for each vehicle of the private hire fleet had not been implemented.

An explanation letter would be sent to the operator explaining these areas and the need for them to be completed and maintained and a report on this will be submitted to the Committee on 17 January 2007.

**RESOLVED – That the information received be noted.**

**06.LS.69 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 grounds 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.**

**06.LS.70 PRIVATE HIRE DRIVER - POLICE CAUTION FOR AFFRAY**

The Committee received a report of the Director of Customer, Democratic and Legal Services bringing Members attention to a caution received by a licensed private hire driver.

The report indicated that this Council had licensed the private hire driver for over three years and that information received from the Police on 30 September 2006 had revealed that she had received a Police caution for affray. This information had not been relayed to the Council.

On attending the Civic Offices regarding the caution she admitted receiving the caution but stated that she had not been told by the Police that as the caution was not a conviction it need not be declared.

Officers had no delegated powers to deal with these matters and therefore the Committee was requested whether any action should be taken.

The licensed private hire driver attended the meeting to put forward her explanation in support of keeping her licence.

**RESOLVED – That no action be taken.**

(Councillor Mrs S Walsh declared an interest in the above item and left the room during the discussion and voting).

Chair