

REPORT OF STATUTORY LICENSING COMMITTEE AND THE LICENSING AND SAFETY COMMITTEE

GENERAL REPORT

1. This report sets out a brief summary of the main items considered at the meeting of the Statutory Licensing Committee and the Licensing and Safety Committee held on 8 March 2006.

Statutory Licensing Committee - 8 March 2006

2. The Committee was requested to consider an application for the grant of a permit under Section 34 of the Gaming Act 1968 in respect of The Hayrick, Lancaster Lane, Clayton-le-Woods.
3. The Committee at its meeting on 6 December 2005 had approved a scheme of delegation whereby applications for more than two section 34 permits be referred to this Committee for determination. The application in respect of the Hayrick requested three Gaming Machines and Lancashire Police and Council Offices had objected to the machine on the basis that as the machine faced away from the bar, under age gambling and the protection of children could not be controlled or suspended.
4. Representations from The Hayrick indicated that the position of the offending machine had been changed and that all three Section 34 machines were able to be adequately supervised from the bar areas.
5. The Committee therefore granted a permit for the three machines and requested that plans be submitted with all future applications.

Licensing and Safety Committee - 8 March 2006

Use of Private Hire Vehicles with Insurance

6. We received a report from the Director of Legal Services informing us that a private hire vehicle may have been used without insurance on 15 January 2006.
7. Representations received at the meeting indicated that the licensed private hire driver/proprietor of the private hire vehicle, was out of this Country for at least another two months but because of the seriousness of the allegation, we decided in his absence that his private hire driver's licence and hackney carriage driver's licences be revoked on the grounds that we considered that he was not a fit and proper person to hold these licences.
8. We considered the human rights implications and the proportionality principle and were of the view that the protection of the public was of paramount importance.

Hackney Carriage Driver - Failure to Disclose Information

9. We received a report from the Director of Legal Services informing us that information had been received by officers about a licensed hackney carriage driver.
10. The information received indicated that the driver licensed by a neighbouring authority had been suspended from driving hackney carriages within the area of that authority and that this information had not been disclosed to officers of this Council.
11. The report indicated that the Council's application form fails to ask if a licence had been suspended, even though reference is made to a refusal or revocation of a licence. Application forms have since been amended to include suspension.

12. We agreed that the licensed hackney carriage driver be allowed to continue to drive in Chorley but he be sent a warning letter.

Application for Licence to Drive Hackney Carriages/Private Hire Vehicles within Chorley

13. We received a report from the Director of Legal Services requesting consideration of an application received to drive Hackney Carriage/Private Hire Vehicles. Information received from both the Council Records Bureau and his DVLA licence had revealed that the application should be referred to us for determination.
14. We agreed to grant him a private hire drivers licence, but to stress to him that his conduct must be exemplary.

Application for Private Hire Driver's Licence

15. We received a report from the Director of Legal Services requesting us to consider an application for a private hire drivers licence by an applicant who had produced a DVLA licence issued on 26 January 2006 but had failed to provide any proof of any driver experience prior to this.
16. The Council had adopted a policy in 1996 which required applications for drivers licences to be over 21 years of age and to have three years of experience driving under a full licence.
17. It had not been possible to satisfy officers that the applicant had the necessary driving experience and therefore the application had to be determined by the Committee.
18. Representations were made at the Committee indicating that the applicant had received the necessary driving experience in Pakistan.
19. We therefore agreed to grant him a licence for a probationary period of six months, subject to him passing the usual knowledge test and should there be no concerns or complaints raised during this period then a licence be issued for a further six months.

Application for Private Hire Drivers Licence

20. We received a report from the Director of Legal Services requesting us to determine an application for a private hire drivers licence by an applicant who had a number of previous convictions.
21. We agreed that the applicant was not a fit and proper person to hold a licence due to the number and seriousness of the convictions that had been recorded against him over a number of years and were of the opinion that a sufficient period of time had not elapsed since the date of the last conviction for him to be granted a licence.

Meetings of Licensing and Safety Committee and Statutory Licensing Committee held on 5 April 2006

22. Reports on the two Committee meetings held on Wednesday, 5 April 2006 will be presented to the next ordinary meeting of the Council to be held on 18 July 2006.

COUNCILLOR R SNAPE

Chairman of the Licensing and Safety Committee and the Statutory Licensing Committee

There are no background papers to the report.