

# Licensing and Safety Committee

**Wednesday, 8 March 2006**

**Present:** Councillor R Snape (Chair), Councillor Miss M Iddon (Vice-Chair) and Councillors T Bedford, D Dickinson Mrs, D Dickinson, A Gee, T Gray, M Lees, L Lennox, T McGowan, Mrs I Smith, E Smith, J Walker and Mrs S Walsh

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

An apology for absence was submitted on behalf of Councillor Hoyle.

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

The under mentioned Member declared a personal/prejudicial interest in relation to the report indicated below on the meeting's agenda for consideration.

Councillor Mrs Dickinson Item 13 Application for Private Hire Driver's Licence Mr PSAH.

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

**RESOLVED - That the minutes of the meeting of the Licensing and Safety Committee held on 11 January 2006 be received as a correct record and signed by the Chairman.**

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

**RESOLVED - That this item be deferred to the Special Meeting of the Licensing and Safety Committee to be held on 4 April 2006.**

## **06.LS.14 LICENSING AND REGISTRATION - LICENSES ISSUED FROM 12 NOVEMBER 2005 TO 14 FEBRUARY 2006**

The Committee received a report of the Director of Legal Services on the various licences and permits issued and the registrations affected by the Licensing Section since the last ordinary meeting.

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

## **06.LS.15 EXCLUSION OF THE PUBLIC AND PRESS**

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

## **06.LS.16 USE OF PRIVATE HIRE VEHICLES WITHOUT INSURANCE**

The Committee received a report of the Director of Legal Services bringing to the attention of Members information that a private hire vehicle may have been used without insurance on 15 January 2006.

Representations received at the meeting by the applicant's legal representative indicated that the licensed private hire driver/proprietor of the private hire vehicle, was out of this Country for at least another two months.

**RESOLVED - (1) That because of the seriousness of the allegation, in his absence his private hire drivers licence and hackney carriage drivers licence be revoked on the grounds that the Committee considered that he as not a fit and proper person to hold these licences.**

**(2) That the Committee considered the human rights implications and the proportionality principle and were of the view that the protection of the public was of paramount importance.**

**06.LS.17 HACKNEY CARRIAGE DRIVER MR A S - FAILURE TO DISCLOSE INFORMATION**

The Committee received a report of the Director of Legal Services informing the Committee that information had been received by officer's about a licensed hackney carriage driver.

The information received indicated that the driver licensed by a neighbouring authority had been suspended from driving hackney carriage within the area of that authority and that this information had not been disclosed to officers of this Council.

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.

**RESOLVED - That the licensed hackney carriage driver be allowed to continue to drive in Chorley but he be sent a warning letter that he must charge only the current tariff agreed by Chorley Borough Council.**

**06.LS.18 APPLICATION FOR LICENSE TO DRIVE HACKNEY CARRIAGES/PRIVATE HIRE VEHICLES WITHIN CHORLEY - MR A.J.M**

The Committee received a report of the Director of Legal Services on an application received for Mr AJM for a licence to drive Hackney Carriage/Private Hire Vehicles. Information had been received from both the Criminal Records Bureau and his DVLA licence had revealed information that required referral to this Committee for attention.

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 AJM but to stress to him that his conduct must be exemplary.**

**06.LS.19 APPLICATION FOR PRIVATE HIRE DRIVERS LICENCE - MR K.S**

The Committee received a report of the Director of Legal Services on an application submitted by Mr KS for the grant of a private hire drivers' licence. The applicant had produced a DVLA licence issued on 26 January 2005 but had failed to provide any proof of any driver experience prior to this.

In 1996 the Council adopted a policy which required applicants for private hire drivers licence to be over 21 years of age and have three years of experience driving under a full licence.

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.

The applicant along with his legal representative attended the meeting to put forward representations in support of his application. Representations made at the Committee indicated that the applicant had received the necessary driving experience in Pakistan.

**RESOLVED - That a private hire drivers licence be granted to Mr KS for a probationary period of six months, subject to him passing the current knowledge test and should there be any concern or complaints raised during this period then a licence be issued for a further six months.**

**06.LS.20 APPLICATION FOR PRIVATE HIRE DRIVERS LICENSE - CONVICTIONS MR PSAH**

The Committee received a report of the Director of Legal Services on an application received for a private hire drivers licence by an applicant who had a number of previous convictions.

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

**RESOLVED - That after careful consideration of the representations made by the applicant the Committee agreed to refuse the application as the applicant was not a fit person 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 sufficient period of time had not elapsed since the date of the last conviction for him to be granted a licence.**

**(Councillor Mrs D Dickinson declared an interest in the above item and left the room during the discussion and voting).**

Chair