

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