

REPORT OF LICENSING AND SAFETY COMMITTEE AND THE STATUTORY LICENSING COMMITTEE

GENERAL REPORT

1. This report sets out a brief summary of the main items considered at the meeting of the Licensing and Safety Committee and the Statutory Licensing Committee, held on 20 September 2006 and 11 October 2006.

Licensing and Safety Committee – 20 September 2006

Change of Licence Condition – Roof Sign on Hackney Carriage Vehicles

2. We were requested to consider a change to the licence condition relating to the wording of roof signs on hackney carriages following the recent change of the Council logo.
3. At a recent meeting of the local hackney association views were sought and they had expressed an opinion to keep the present wording.
4. As there was no legal reason to change the signs the Committee felt that it was unnecessary for the taxi drivers to incur the costs of changing the roof signs and therefore the wording remains as Chorley Borough Taxi.

Testing of Licensed Vehicles – Amendment to Procedure

5. We were asked to amend a previous Committee resolution regarding the procedure for licensing vehicles that are over the Council's age limit of eight years from the date of manufacture.
6. We agreed to the amendment in order to remove any ambiguity.

Application for Licence to Drive Hackney Carriage/Private Hire Vehicles within the Borough of Chorley

7. I accepted as urgent, consideration of an application to drive a hackney carriage/private hire vehicle. Information received from the Criminal Records Bureau had revealed that the applicant has convictions that would need to be assessed by the Committee before determining the application.
8. Following representations made by the applicant and after careful consideration we agreed to grant a licence.

Licensing and Safety Committee - 11 October 2006

Private Hire Driver – Complaint

9. We received a confidential report from the Director of Customer, Democratic and Legal Services bringing our attention to a complaint that had been made against a private hire driver. Because of the nature of the complaint his private hire driver's licence had been suspended.

10. Members were requested to consider the allegation and determine whether or not he was considered to be a fit and proper person to hold a private hire driver's licence.
11. The private hire driver attended the meeting to put forward representation in support of him keeping his licence.
12. The Committee gave careful consideration to the representation made and viewed the complaint very seriously, however we agreed that he be allowed to continue to drive in Chorley, with a letter sent informing him that his conduct must be exemplary and should there be any further concern or complaints, he be brought back to a meeting of the Committee.

Private Hire Operator Allowing Vehicles to be used in a Dangerous Condition

13. We received a confidential report from the Director of Customer, Democratic and Legal Services bringing our attention to a private hire vehicle operated by a local taxi firm which had been presented for a taxi test in a dangerous condition.
14. The report indicated that the vehicle had been submitted to a Council accredited testing station for its four month taxi test. The test sheet had highlighted 17 faults, some of which were, in the opinion of the examiner, of a serious nature making the vehicle dangerous to drive.
15. The taxi operator attended the meeting to explain why the licensed vehicle was in a dangerous condition and to explain if any measures had been put in place to ensure that all licensed vehicles operated under his operator's licence were adequately maintained.
16. In view of the serious nature we agreed the following course of action:
 - The licensed private hire operator was considered by the Committee not to be a fit and proper person to hold a licence and agreed that the licence be suspended until the whole private hire fleet had been subjected to a vehicle test to be carried out during the following week by an accredited MOT testing station.
 - A system of daily defect sheets be implemented for each vehicle of the private hire fleet and signed by each driver with detected faults to be rectified immediately.
 - The Council's licensing enforcement officer to make regular checks to ensure that the daily defects sheet process is being complied with.
 - The operator be asked to a future meeting to inform the Committee that the required tests have been carried out on the vehicles and the vehicle checking process is operating.
 - A report be submitted to a future meeting on the outcome of an investigation to be carried out on the MOT testing of the people carrier in question and the suitability of the accredited testing station that had carried out the four month test on the vehicle and whether a satisfactory standard of service is being provided by the testing stations.

Statutory Licensing Committee – 11 October 2006

Licensing Act 2003 – Licences issued from 1 September 2006 to 22 September 2006

17. We received from the Director of Customer, Democratic and Legal Services a report informing the Committee of the various licences issued and the regulations affected under the Licensing Act 2003 for the period 1 September 2006 to 22 September 2006.

18. We noted particularly the multi-agency operation which took place on 15 September 2006 with three police officers and the licensing manager visiting a number of licensed premises, with further visits and education required to advise licensees of their responsibility.

Recommendation

19. The Council is recommended to note this report.

COUNCILLOR MRS I SMITH
Chairman of the Licensing and Safety Committee and the Statutory Licensing Committee

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There are no background papers to this report.