

Licensing and Safety Committee

Wednesday, 28 March 2007

Present: Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Thomas Bedford, Henry Caunce, Magda Cullens, David Dickinson, Anthony Gee, Daniel Gee, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape and John Walker

07.LS.24 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs Doreen Dickinson and Keith Iddon.

07.LS.25 SENIOR SOLICITOR

The Chairman informed the meeting that this was the last meeting that Rosaleen Brown the Senior Solicitor was attending as she was taking up a new post at another authority. The Chairman and members of the Committee thanked her for her assistance and advice she had given to the Committee.

07.LS.26 DECLARATIONS OF ANY INTERESTS

Councillor Ralph Snape declared an interest in relation to Item 10 on the agenda. (Minute 07.LS.33).

07.LS.27 MINUTES

RESOLVED – That the Minutes of the meeting of the Licensing and Safety Committee held on 28 February 2007 were confirmed as a correct record and signed by the Chairman.

07.LS.28 LICENSING SUB-COMMITTEE

RESOLVED – That the minutes of the meeting of the Licensing Sub-Committee held on 19 February 2007 be noted.

07.LS.29 LICENSING & REGISTRATION - SUMMARY OF ACTIVITY FROM 01 FEBRUARY 2007 TO 09 MARCH 2007

The Committee received a report of the Director of Customer, Democratic and Legal Services on the various licences and permits issued and the registrations effected by the Licensing Section between the period 1 February 2007 to 9 March 2007.

RESOLVED – That the report be noted.

07.LS.30 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 ground 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.

07.LS.31 APPLICATION FOR PRIVATE HIRE DRIVERS LICENSE - FAILURE TO MEET MEDICAL STANDARDS

The Committee received a report of the Director of Customer, Democratic and Legal Services requesting the Committee to consider an application to drive private hire

vehicles following the failure of the applicant to pass Group 2 medical on the grounds of vision. The applicant had explained that he lost one eye when he was aged 11 years old.

The report indicated that under Section 51(1) of the Local Government (Miscellaneous Provisions) Act 1976 it was a requirement that a Council should not grant a licence to drive hackney carriages or private hire vehicles unless they are satisfied that the applicant was a fit and proper person to hold a drivers licence. Chorley Borough Council had adopted Group 2 standards for medical checks on 7 June 2000.

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

RESOLVED - 1) That after fully considering the application and the Council policy in this respect, agreed to grant the applicant a licence to drive private hire vehicles provided that he attains Group 2 medical standard in all aspects apart from vision.

2) That the applicant must show that the visual field in the remaining eye is normal.

3) That the Committee in reaching this decision took into account the fact that the applicant had only ever driven with sight in one eye, with many years of driving experience and excellent accident record.

4) That the applicant ensures that his employer and any future employer are aware of the fact that he only has sight in one eye.

07.LS.32 LICENSED PRIVATE HIRE PROPRIETOR - ALLOWING VEHICLE TO BE USED WITHOUT INSURANCE AND ROAD TAX.

The Committee received a report of the Director of Customer, Democratic and Legal Services bringing to the attention of Members a complaint made by a member of the public that two private hire vehicles were being used on a public road without current tax discs.

The report indicated that on 15 March 2007 suspension notices were served in respect of two private hire vehicles and when the person who was in charge of running the taxi firm at that time attended the Council Offices no explanation was offered.

The Committee had previously received a report at its meeting on 11 October 2006 following information received that the firm was running a vehicle in a dangerous condition and ordered that all vehicles licensed by the firm be suspended, with all vehicles subjected to a vehicle test by an accredited testing station.

The person who was running the firm at the time attended the meeting along with a colleague to put forward an explanation as to why the vehicles were being used on a public road without current tax discs and the insurance on one vehicle.

RESOLVED – That the Committee was not satisfied with the explanation given to the person running the firm and agreed that the person who is currently the holder of the private hire operator’s licence be invited to a future meeting of the Committee to give a full explanation and to answer any questions the Committee may have.

07.LS.33 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGES/PRIVATE HIRE VEHICLES WITHIN THE BOROUGH.

Further to Minute 07.LS.21 the Committee received a report of the Director of Customer, Democratic and Legal Services requesting the Committee to consider an application for a licence to drive Hackney Carriage/Private Hire vehicles within the Borough of Chorley.

The applicant (Mr GS) had been invited to attend the meeting along with his legal representative but had notified officers that he requested his application to be adjourned to a future meeting.

RESOLVED – That consideration of the application be adjourned to the next ordinary meeting of the Committee to be held on 23 May 2007, to allow an opportunity for the applicant and his representative to give representations.

(Councillor R Snape had left the meeting prior to consideration of the above item).

Chair