

# Licensing and Safety Committee

Wednesday, 25 April 2007

**Present:** Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Henry Counce, Magda Cullens, Doreen Dickinson, Anthony Gee, Daniel Gee, Keith Iddon, Hasina Khan, Marion Lowe, Thomas McGowan, Ralph Snape and John Walker

## 07.LS.33 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Thomas Bedford, Margaret Lees and Mrs Stella Walsh.

## 07.LS.34 DECLARATIONS OF ANY INTERESTS

No declarations of interest were received.

## 07.LS.35 MINUTES

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

**Under Minute 07.LS.28, the Chairman highlighted the question that was raised at the Council meeting on 17 April 2007 concerning the allegation that one of the Hackney Carriage Plates that had recently been issued had been sold. Enquiries made by Officers confirmed that there was no evidence of such a sale and no one had contacted the Council reporting a transfer of a hackney carriage vehicle licence as had been required by one of the licensing conditions, when the licences were issued.**

## 07.LS.36 LICENSING LIAISON PANEL

The Committee received the Minutes of the meeting of the Licensing Liaison Panel held on 2 April 2007.

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

## 07.LS.37 VOCATIONAL TRAINING FOR HACKNEY/PRIVATE HIRE DRIVERS - FURTHER REPORT

Further to Minute 07.LS.15, 28 February 2007 the Committee received a report of the Director of Customer, Democratic and Legal Services on a proposal to introduce vocational training for all new applicants for hackney carriage and private hire driver's licences.

As had been recommended by the Committee, the Licensing Liaison Panel had considered the proposals and the views of those who attended was that although training was seen as a positive step there was a risk that the extra costs incurred by new drivers may discourage them from taking up 'taxi' work leading to a shortage of drivers. A suggestion was made that the decision be deferred for six months in order to monitor the effect in Preston and South Ribble Councils who have already made this training compulsory for new drivers.

**RESOLVED – That the decision be deferred for six months in order to assess the impact of compulsory driver training upon Preston and South Ribble Councils.**

#### **07.LS.38 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED – That the press and public be excluded from the meeting for the following item on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 4 of part 1 of Schedule 4 of Part 1 of Schedule 12A to the Local Government Act 1972.**

#### **07.LS.39 LICENSED PRIVATE HIRE PROPRIETOR - ALLOWING A VEHICLE TO BE USED WITHOUT INSURANCE AND ROAD TAX**

Further to Minute 07.LS.32, 28 March 2007 the Director of Customer, Democratic and Legal Services submitted a report 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 and that one vehicle did not have a valid insurance.

The Committee had agreed that it was not satisfied that the explanation given by the person running the firm and agreed that the person who was currently the holder of the private hire operators licence be invited to this meeting to give a full explanation and to answer any questions the Committee may have.

The private hire operator accompanied by his nephew attended the meeting putting forward an explanation and answering Members questions.

**RESOLVED – 1) That the licensed Private Hire Operators Licence be revoked on the basis that he was not a fit and proper person to hold a drivers licence and on the grounds of “any other reasonable cause” (Section 61(1)(d) of the Local Government (Miscellaneous Provisions) Act 1976. An explanation of reasonable cause being:**

- a) **The operators response to questions relating to the company were vague, such as, not knowing how many vehicles he was responsible for.**
- b) **The operator admitted to having vehicles on the road without road tax and one without insurance, and.**
- c) **Admitting that one of the vehicles, although no longer licensed as a private hire vehicle was still on the road without insurance.**

**2) That the Committee also considered the human rights implications and the proportionality principle and was of the view that the safety of the public was paramount and that they had no confidence in the operator’s ability to control and manage the taxi fleet in a manner that would guarantee public safety.**

Chair