

Licensing and Safety Committee

Wednesday, 6 February 2008

Present: Councillor Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Judith Boothman, Terry Brown, Magda Cullens, Mrs Doreen Dickinson, Pat Haughton, Keith Iddon, Margaret Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape and John Walker

08.LS.11 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors David Dickinson and Mrs Stella Walsh.

08.LS.12 DECLARATIONS OF ANY INTERESTS

In accordance with the provisions of the Local Government Act 2000, the Council's Constitution and Members Code of Conduct, Councillors Margaret Lees and Ralph Snape declared a personal interest in relation to Item 5 on the agenda.

08.LS.13 MINUTES

RESOLVED – That the Minutes of the meeting of the Licensing and Safety Committee held on 16 January 2008 be confirmed as a correct record and signed by the Chairman.

08.LS.14 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 12A to the Local Government Act 1972.

08.LS.15 HACKNEY CARRIAGE DRIVER FAILING TO DEAL PROPERLY WITH FOUND PROPERTY

(Councillors Margaret Lees and Ralph Snape declared a personal interest in the following item and left the room during the discussion and voting).

The Committee received a report of the Corporate Director of Governance requesting Members to consider whether or not a licensed Hackney Carriage driver was a fit and proper person to continue to hold a Hackney Carriage Driver's Licence under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976.

The report indicated the circumstances surrounding a passenger in the hackney carriage leaving an overnight bag in his vehicle containing clothes and a camera during a journey from Chorley to Preston Railway Station.

The owner of the property had made contact with the Council regarding the overnight bag and from the description given the Council's Licensing and Enforcement Officer had identified the Hackney Carriage driver.

It was explained that the Hackney Carriage driver had not acted in a manner expected of a duly authorised Hackney Carriage driver and he had clearly breached the conditions contained in Hackney Carriage Byelaws 16 and 17.

The driver attended the meeting to make representations and answered questions from members of the Committee.

RESOLVED – 1) That the Licensing and Safety Committee took a very serious view of his failure to abide with the Council’s Hackney Carriage Byelaws 16 and 17, however after careful consideration of his representations it was agreed that the Hackney Carriage Driver be allowed to continue to drive in Chorley and a letter be sent informing him that his conduct must be exemplary and should there be any further concern or complaint he be brought back to a meeting of this Committee.

2) That the Licensing and Safety Committee considered carefully the representations made and acknowledged that the Hackney Carriage driver had accepted that he had misjudged the situation, down to his pure ignorance, and had handled the situation badly. He further accepted that he was totally responsible for the item left in his vehicle and made representations that there would be no further breaches of conditions.

Chair