

Licensing and Safety Committee

Wednesday, 27 February 2008

Present: Councillor Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Judith Boothman, Terry Brown, Magda Cullens, David Dickinson, Mrs Doreen Dickinson, Keith Iddon, Margaret Iddon, Hasina Khan, Ralph Snape, John Walker and Mrs Stella Walsh

08.LS.16 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Pat Haughton, Thomas McGowan and Margaret Lees.

08.LS.17 DECLARATIONS OF ANY INTERESTS

No declarations of interest were received.

08.LS.18 MINUTES

RESOLVED – That the minutes of the meeting of the Licensing and Safety Committee held on 6 February 2008 were confirmed as a current record and signed by the Chairman.

08.LS.19 LICENSING LIAISON PANEL 4 FEBRUARY 2008

The Committee received the Minutes of the meeting of the Licensing Liaison Panel held on 4 February 2008.

RESOLVED – That the minutes be noted.

08.LS.20 DRUG TESTING IN PUBS AND CLUBS

The Councils Licensing Manager informed Members of the recent scheme of testing for drugs in pubs and clubs.

Officers had received Home Office approved drug testing kits and with the cooperation of the licensees would be invited to the premises to detect for cocaine, amphetamines, cannabis, heroin etc. The scheme had received the full cooperation of the licensing trade and would assist in developing an admission policy and keep premises free from drugs.

08.LS.21 AMENDMENT TO LICENCE CONDITION IN RELATION TO CONVICTIONS

The Committee considered a report of the Corporate Director of Governance seeking approval to a change in an existing license condition relating to convictions.

The report indicated that a condition attached to a hackney carriage/private hire driver licence required the licence holder to “notify the Council in writing of any conviction recorded against him/her by any Court and/or the imposition of any endorsable or non-endorsable fixed penalty within 7 days of such conviction or penalty being imposed.”

It had become apparent that there had been an increasing use of cautions for dealing with certain offences and to ensure that drivers are not confused about the need to notify the Council of offences and cautions it was proposed that the above condition be amended.

RESOLVED – That the condition be amended as follows:

Conviction

The licensee shall notify the Council in writing of any convictions or caution recorded against him/her and/or the imposition of any endorsable fixed penalty within 7 days of such conviction or caution or penalty being imposed.

08.LS.22 LICENSING AND REGISTRATION - SUMMARY OF ACTIVITY FROM 1ST JANUARY 2008 - 8TH FEBRUARY 2008

The Committee received and noted a report of the Corporate Director of Governance on the activity of the Licensing Section for the period 1 July 2008 to 8 February 2008 under Licensing Act 2003 and Gambling Act 2005.

RESOLVED – That the report be noted.

08.LS.23 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 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

08.LS.24 HACKNEY CARRIAGE DRIVER - APPLICATION TO DRIVE HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES

The Committee received a report of the Corporate Director of Governance to consider an application for a Hackney Carriage/Private Hire vehicle driver's licence.

The report indicated that the applicant's driving licence stated that he had held a full driving licence since 25 January 2006 and had a date of birth of 24 October 1988. Applicants should be over 21 years of age and have three years driving experience as a holder of a full driving licence.

Enquiries made had revealed that the applicant had no driving convictions on his driving licence and a Criminal Record Bureau check had revealed that there were no previous convictions.

It had not been possible to satisfy Officers that the applicant had the necessary driving experience and therefore the application had to be determined by the Committee.

The applicant attended the meeting along with his brother to put forward representations in support of his application.

RESOLVED – That after careful consideration of the application the Committee agreed that it be refused on the basis that he was not considered to be a fit and proper person to hold a private hire/hackney carriage drivers licence. The grounds on which this was based are as follows:

- **The applicant had not held a full driving licence for the required period of time and is not the required age.**
- **The Committee carefully considered the representations made and considered that they were not sufficient to move away from the Councils adopted policy.**

Chair