

MINUTES OF: LICENSING COMMITTEE

ITEM NO: A2

Date of Meeting: Tuesday 17th October 2006

**Present: Councillor Eaton (in the Chair)
Councillors L Barnes, Cheetham, Dickinson, Driver,
Entwistle, Lynskey, Morris, Sandiford, Starkey, H Steen.**

**In Attendance: S Chadwick, Licensing Manager
D Hamill, Licensing Enforcement Officer
S Bithell, Senior Solicitor
J Cook, Committee Officer
C Brennan, Clerical Assistant**

Also Present: 10 Members of the Taxi Trade and Licensing Unit Staff

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor D Barnes (Councillor Driver substituting), Councillor P Gill, Councillor P Steen and Councillor Unsworth.

2. DECLARATIONS OF INTEREST

Members of the Committee were asked to consider whether they had an interest in any matters to be discussed at the meeting, however no declarations of interest were made.

3. MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 29th August 2006 be signed by the Chair as a correct record.

4. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

OPERATIONAL MATTERS

5. REQUEST FROM THE TRADE FOR DUAL APPLICATION FEES

The Committee considered a report of the Licensing Manager informing members of a request from the taxi trade that only a nominal fee be charged for the grant of a private hire drivers licence where there is an application at the same time for the grant or renewal of a hackney carriage drivers licence.

In accordance with the procedure for public speaking Ms A Kenyon and Mr G Bulcock spoke on the item.

Resolved:

That the request be refused.

6. INTRODUCTION OF A KNOWLEDGE TEST

The Committee considered the report of the Licensing Manager advising members of a request from the taxi trade that a Knowledge Test be introduced for hackney carriage and private hire drivers.

In accordance with the procedure for public speaking Ms A Kenyon and Mr G Bulcock spoke on the item.

Resolved:

1. That the request be refused.
2. That further consideration of this issue should not come before this Committee at the request of trade representatives for the next 3 years unless:
 - Statutory changes required further consideration or
 - An Officer or Elected Member requested the inclusion on a subsequent agenda.
 - Licensing Officers received a significant number of complaints from the public.

7. APPLICATION BY MR P J DURKIN TO BE RECOGNISED BY THE COMMITTEE AS A REPRESENTATIVE OF TAXI DRIVERS

The Committee considered the report of the Licensing Manager which informed members of a request by Mr Peter James Durkin, a licensed hackney carriage driver with Rossendale Borough Council, be recognised by the Committee to speak on behalf of licensed hackney and private hire drivers who are not affiliated to the two taxi associations currently recognised.

Although there were no members of the trade registered to speak on this item, the Chair, with the agreement of the Committee, opened up this item to the floor in order to clarify queries from Members.

Resolved:

That the Applicant and the Associations already recognised by the Committee be asked to provide documentary evidence identifying exactly who they purport to represent, the manner in which the Officers are subject to re-election, minutes of meetings and any other documents or evidence that would enable the Committee to establish the appropriate persons to address the Committee.

8. GAMBLING ACT 2005 – SECTION 157 – RESPONSIBLE AUTHORITY WITH REGARD TO THE PROTECTION OF CHILDREN FROM HARM

The Committee considered the report of the Licensing Manager which advised Members of the requirement under Section 157(h) of the Gambling Act 2005 to designate in writing, a body that is competent to advise the authority about the protection of children from harm.

Resolved:

That the Committee nominate and designate the Directorate for Children and Young People, Children's Integrated Services of Lancashire County Council as the body competent to advise the authority about issues relating to the protection of children from harm.

9. DRAFT STATEMENT OF GAMBLING POLICY CONSULTATION UPDATE

The Committee considered the report of the Licensing Manager which advised Members of the observations received in respect of the consultation conducted on the Draft Statement of Gambling Policy.

Resolved:

That the contents of the report be noted.

10. LICENSING UNIT UPDATE

The Committee considered the report of the Licensing Manager which advised Members of appeals, hearings and other licensing issues arising from the previous meeting of the Licensing Committee.

Resolved:

That the contents of the report be noted.

11. 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 grounds that they involve disclosure of exempt information relating to an individual as defined in Paragraph 1 of Schedule 12A of the Act.

12. NEW APPLICATION – HACKNEY CARRIAGE DRIVERS LICENCE – MR PN

The Licensing Enforcement Officer presented a report detailing the circumstances leading to the application and asked the Committee to note that the application was for a private hire drivers licence and not a hackney carriage drivers licence as stated in paragraph 3.10 the report. The Applicant and his representative presented their case to the Committee.

The Committee considered the report in accordance with the procedure.

The Applicant and Representative and Licensing Unit Staff retired from the meeting to enable the Committee to determine the application.

Resolved:

1. That the licence be granted under Section 59(1) of the Local Government (Miscellaneous Provisions) Act 1976.
2. The licence will be for a period of 12 months after which time the licence will be automatically reviewed and if it is found that any offences have been committed during this period then the driver would be brought back before the committee.

The meeting commenced at 6.30pm and closed at 8pm