

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: Tuesday 28th November 2006

**Present: Councillor Eaton (in the Chair)
Councillors Alcroft, L Barnes, Crosta, Dickinson, Entwistle,
C Gill, P Gill, Morris, Sandiford and Unsworth**

**In Attendance: S Chadwick, Licensing Officer
D Hamill, Licensing Enforcement Officer
S Bithell, Senior Solicitor
J Cook, Committee Officer**

Also Present: 6 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 H Steen (Councillor Crosta substituting) and Councillor P Steen.

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 17th October 2006 be signed by the Chair as a correct record subject to the following amendment:

That Councillor Alcroft's apologies for the meeting held on 17th October 2006 are recorded.

4. URGENT ITEMS OF BUSINESS

4.1 Request for Rawtenstall Taxi Rank

The Chair noted there had been a request from members of the taxi trade to include a request for a 24/7 taxi stand at Bank Street, Rawtenstall. The Licensing Enforcement Officer stated that this would be investigated and placed on the next Agenda.

OPERATIONAL MATTERS

5. APPLICATION FROM MR PJ DURKIN TO BE RECOGNISED BY THE COMMITTEE AS A REPRESENTATIVE OF TAXI DRIVERS AND OTHER REPRESENTATIVES

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, to 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. The report also informed members of the status of information received from other representatives currently recognised by the Licensing Committee. The Licensing Manager asked the Committee to consider the application and to consider whether the other representatives should continue to be formally recognised by the Licensing Committee.

In accordance with the procedure for public speaking Ms A Kenyon and Mr G Bulcock spoke against the item. The Chair allowed other members of the trade present to speak in order to clarify questions raised by members.

Resolved:

1. That the applicant and other representatives be not formally recognised by the Licensing Committee until such time as the required documentary evidence is produced for consideration.
2. That the documentary evidence (referred to in 1 above) comprise a letter outlining details of who the Association represented including the signatures of not less than 2 hackney carriage or private hire badge holders in Rossendale.
3. That the Licensing Manager be requested to send a letter to the Taxi Association's contacts informing them of the Committee's decision and to clarify the information requested by the Committee in order that consideration can be given to their formal recognition by the Committee.

6. 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.

7. 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 Local Government Act 1972.

8. APPLICATION FOR CONSIDERATION OF REVOCATION OF A HACKNEY CARRIAGE DRIVER'S LICENCE – MR AH

The Licensing Enforcement Officer presented a report detailing the circumstances of the application. The Applicant's representative put his case to the Committee.

The Committee considered the report in accordance with the procedure.

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

Resolved:

That the licence be revoked under s.61 of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considered that the applicant was no longer a fit and proper person to hold a Hackney Carriage Driver's Licence.

9. NEW APPLICATION – HACKNEY CARRIAGE DRIVERS LICENCE – MR MS

The Licensing Enforcement Officer presented a report detailing the circumstances of the application. The Applicant presented his case to the Committee.

The Committee considered the report in accordance with the procedure.

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

Resolved:

That the licence be refused. The Committee considered that the applicant was not a fit and proper person to hold a Hackney Carriage Driver's Licence.

10. APPLICATION FOR CONSIDERATION OF REVOCATION OF A PRIVATE HIRE DRIVERS LICENCE – MR NC

The Committee agreed to consider the application in the absence of the Applicant. It was noted that Licensing Unit Staff would continue to contact applicants to invite them to the Committee Hearing.

The Licensing Enforcement Officer presented a report detailing the circumstances of the application.

The Committee considered the report in accordance with the procedure.

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

Resolved:

That the licence be revoked under s.61 of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considered that the applicant was no longer a fit and proper person to hold a Private Hire Driver's Licence.

The meeting commenced at 6.30pm and closed at 8.20pm