

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: Monday 4th June 2007

**Present: Councillor Sandiford (in the Chair)
Councillors Cheetham, Dickinson, C Gill, P Gill, Hewlett,
Morris, S Pawson, Pilling and Unsworth**

**In Attendance: T Brzozowski, Licensing Manager
C Birtwistle, Principal Legal Officer
D Dobson, Senior Licensing Enforcement Officer
D Hamill, Licensing Enforcement Officer
J Cook, Committee Officer**

Also Present: Councillor Ruddick and 5 Members of Public

BUSINESS MATTERS

1. APPOINTMENT OF CHAIR

In the absence of the Chair and Vice Chair, nominations were invited for a Chair for the meeting.

Resolved:

That Councillor Sandiford be appointed Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor P Steen, Councillor L Barnes, Councillor Farquharson (Councillor S Pawson substituting), Councillor A Barnes and Councillor R Wilson (Councillor Hewlett substituting).

3. CHAIR'S ANNOUNCEMENT

Prior to the meeting the Licensing Unit had received a query about attendance at the meeting. The Chair noted that the Licensing Committee was a public meeting and as such any members of the public including taxi trade were able to attend for the public items of business.

4. 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.

5. MINUTES

Resolved:

That the Minutes of the meeting of the Licensing Committee held on the 27th February 2007 be signed by the Chair as a correct record.

OPERATIONAL MATTERS

6. LICENSING OF HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES – VAN CONVERSIONS

The Committee considered the report of the Senior Licensing Enforcement Officer which outlined the current position in respect of hackney carriage and private hire vehicles which had originally been manufactured as vans together with proposals for future licensing of similar vehicles. Members were asked to consider making a determination which ensured that only vehicles originally manufactured for the purpose of carrying passengers be eligible to be licensed as hackney carriages or private hire vehicles.

Resolved:

That only vehicles which have been originally manufactured for the purpose of carrying passengers be eligible to be licensed as hackney carriages or private hire vehicles. This will apply to vehicles which are to be newly licensed.

7. NOTIFICATION OF SPECIAL URGENCY DECISION TAKEN IN RESPECT OF THE GAMBLING ACT 2005 – PREMISES LICENCE FEES.

The Committee considered the report of the Licensing Manager which detailed an urgent decision which had been taken under Rule 16 (Special Urgency) of the Access to Information Procedure Rules. The decision related to the setting of premises licence fees under the Gambling Act 2005. Members were asked to note the reasons why the decision was not brought before the Committee that being the requirement for fees to be set by 21st May 2007.

Resolved:

That the decision taken under the Special Urgency Rules be noted.

8. 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.

9. APPLICATION FOR CONSIDERATION OF A REVOCATION OF A HACKNEY CARRIAGE DRIVERS LICENCE – MR ZH

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

The Committee considered the report in accordance with the procedure.

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

Resolved:

1. That the Licence be revoked under Section 59(1) of the Local Government (Miscellaneous Provisions) Act 1976 as the Committee considers that the Applicant is no longer a fit and proper person to hold a Hackney Carriage Drivers Licence.
2. That the Applicant be advised of his right of appeal before the Magistrates Court.

10. NEW APPLICATION – HACKNEY CARRIAGE DRIVERS LICENCE – MR AA

The Licensing Enforcement Officer presented a report detailing the circumstances of the application and asked the Committee to consider references which had been submitted to the Licensing Unit on Friday 1st June 2007. The Applicant presented his case to the Committee.

The Committee considered the report in accordance with the procedure.

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

Resolved:

That the licence be granted under Section 59(1) of the Local Government (Miscellaneous Provisions) Act 1976 as the Committee were satisfied that the applicant was a fit and proper person to hold a Hackney Carriage Drivers Licence.

11. NEW APPLICATION – HACKNEY CARRIAGE DRIVERS LICENCE – MR MH

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

Resolved:

That the licence be refused under Section 59(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considered that the Applicant was not a fit and proper person to hold a Hackney Carriage Driver's Licence.

12. APPLICATION FOR CONSIDERATION OF A REVOCATION OF A 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 staff from the Licensing Unit retired from the meeting to enable the Committee to determine the application.

Resolved:

That the Licence be not revoked under Section 59(1) of the Local Government (Miscellaneous Provisions) Act 1976. The Committee considered that the Applicant was a fit and proper person to hold a Hackney Carriage Drivers Licence.

The meeting commenced at 6.30pm and closed at 9.05pm