

Minutes of: LICENSING AND SAFETY PANEL

Date of Meeting: 8 May 2014

Present: Councillor D Jones (in the Chair)
Councillors N Bayley, I Bevan, D Cassidy, J Grimshaw,
P Heneghan, T Holt, A Matthews, A Quinn,
S Southworth, B Vincent and J Walton

Also in attendance:

Public Attendance: There were 2 members of the public were present at the meeting.

Apologies for Absence: Councillor T Pickstone

982 DECLARATIONS OF INTEREST

There were no declarations of interest raised in relation to any items on the agenda.

983 MINUTES OF THE LAST MEETING

Delegated decision:

That the Minutes of the Licensing and Safety Panel meeting held on 3 April 2014, be approved as a correct record and signed by the Chair.

984 PUBLIC QUESTION TIME

There were no questions raised under this item.

985 OPERATIONAL REPORT

The Assistant Director (Localities) submitted a report setting out information relating to operational issues within the Licensing Service since the last meeting of this Panel. The report outlined the detail of a Licensing Hearings Panel, held on 26 March, which duly granted a premises licence in respect of Topshop, 20 Hurst Street, Bury.

Delegated decision:

That the report be noted.

986 REVIEW OF CURRENT POLICIES RELATING TO THE LICENSING AND TESTING OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The Assistant Director (Localities) submitted a report setting out the outcome of a

review into current policies relating to the licensing and testing of Hackney Carriages and Private Hire vehicles. With regard to the issue of the '5 fault rule' it was reported that complaints had been received from the Hackney Carriage Drivers' Association stating that the current policy was unfair and discriminatory because it does not also apply to Private Hire vehicles of the same age.

Information relating to the current "exceptional condition" criteria in respect of Private Hire vehicles; the definition of faults for the "5 fault rule"; and the outcome of the consultation was appended to the report.

Delegated decision:

1. That the "exceptional condition" criteria be re-introduced for Hackney Carriages at 10 years and as an incentive to encourage proactive maintenance and provide for additional testing requirements where vehicles fall below acceptable standards, as set out in 5.0 of the report.
2. That further to (1) above, existing licence holders be allowed a 3 year transitional period should they have made financial plans in respect of their vehicle to allow them to be licensed subject to the "5 fault rule"

987 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or applicants for Licences provided by the Authority.

988 APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

The Assistant Director (Localities) submitted a report regarding applications for Public/Private Hire Vehicles Drivers' Licences.

The applicant, 13/2014, was invited to attend the meeting. The Chairman outlined the procedure to be followed and the applicant was invited to address the Panel on his application and any matters referred to in the Officer's report.

Delegated decision:

That after careful consideration of the representations submitted and taking into account the Council's Conviction Guidelines, the application for a Private Hire Driver's Licence by applicant 13/2014 be approved for an initial period of 6 months due to the serious nature of the offence and the relatively short period of time that had elapsed since the date of conviction.

The Panel requested that the Licensing Department be authorised to extend the licence period subject to no issues being brought to light during the 6 month period.

**989 PROPOSED SUSPENSION/REVOCATION OF A PRIVATE HIRE
DRIVER'S LICENCE**

Following a request from the licence holder identified as 12/2014, the Panel agreed to defer consideration of the matter to the next meeting.

990 VOTE OF THANKS

As this was the last meeting of the Municipal Year the Chairman thanked all Panel members for their hard work and commitment.

Councillor Holt, on behalf of the Panel, placed on record thanks to the Chairman for his hard work, fairness and commitment during the year.

COUNCILLOR D JONES
Chair

(Note: The meeting started at 7.00 pm and finished at 8.00 pm)