

AGENDA FOR

LICENSING AND SAFETY PANEL

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To: All Members of Licensing and Safety Panel

Councillors : Adams, N Bayley, I Bevan, S Briggs, D Cassidy, J Grimshaw, R Hodgkinson, T Holt, D Jones (Chair), A Matthews, A Simpson, S Southworth and J Walton

Dear Member/Colleague

Licensing and Safety Panel

You are invited to attend a meeting of the Licensing and Safety Panel which will be held as follows:-

Date:	Tuesday, 17 June 2014
Place:	Meeting Room A & B, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing and Safety Panel are asked to consider whether they have an interest in any of the matters on the agenda, and if so, to formally declare that interest.

3 MINUTES OF THE LAST MEETING *(Pages 1 - 4)*

To approve as a correct record the Minutes of the last meeting held on 8 May 2014. A copy of the Minutes is attached.

4 PUBLIC QUESTION TIME

Questions are invited from members of the public present at the meeting on any matters for which the Panel is responsible. Approximately 30 minutes will be set aside for Public Question Time if required.

5 URGENT BUSINESS

Any other business, which by reason of special circumstances, the Chair agrees may be considered as a matter of urgency.

6 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under section 10 (A) (4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following items of business since it involves the likely disclosure of the exempt information stated.

7 PROPOSED SUSPENSION/REVOCAION OF A PRIVATE HIRE DRIVER'S LICENCE *(Pages 5 - 10)*

A report from the Assistant Director (Localities) is attached.

8 APPLICATION FOR A PRIVATE HIRE DRIVER LICENCE *(Pages 11 - 22)*

A report from the Assistant Director (Localities) is attached.

Minutes of:	LICENSING AND SAFETY PANEL
Date of Meeting:	8 May 2014
Present:	Councillor D Jones (In the Chair) Councillors: N Bayley, D M Cassidy, P Heneghan, J Grimshaw, T Holt, A K Matthews, A Quinn, S Southworth, B Vincent and J F Walton
Apologies for absence:	Councillor T Pickstone
Public Attendance:	There were 2 members of public present at the meeting

LSP.982 DECLARATIONS OF INTEREST

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

LSP.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.

LSP.984 PUBLIC QUESTION TIME

There were no questions raised under this item.

LSP.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.

LSP.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

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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"

LSP.987 EXCLUSION OF THE 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.

LSP.988 APPLICATIONS FOR PUBLIC/ PRIVATE HIRE DRIVERS' LICENCES

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.

**LSP.989 SUSPENSION/REVOCAION OF HACKNEY CARRIAGE/PRIVATE
HIRE DRIVER LICENSES**

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

LSP.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 JONES
CHAIRMAN**

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

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