

AGENDA FOR

LICENSING AND SAFETY PANEL

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To: All Members of Licensing and Safety Panel

Councillors : P 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:	Thursday, 4 December 2014
Place:	Committee Rooms A & B, Town Hall, Bury
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 *(Pages 1 - 4)*

To approve and sign as a correct record the minutes of the meeting held on 3 November 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 this Panel is responsible.

Approximately 30 minutes will be set aside for Public Question Time if required.

5 AMENDMENT TO STATEMENT OF POLICY AND GUIDELINES

Amendment to statement of Policy and Guidelines relating to the relevance of convictions, formal/simple cautions, complaints and other matters which may impact on the granting of a licence. A report from the Assistant Director (Localities) is attached.

6 URGENT BUSINESS

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

7 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under section 100 (A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of the exempt information stated.

8 SUSPENSION/REVOCATIONS OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES *(Pages 5 - 18)*

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

9 APPLICATIONS FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES *(Pages 19 - 26)*

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

Minutes of:	LICENSING AND SAFETY PANEL
Date of Meeting:	Monday 3 November 2014
Present:	Councillor D Jones (in the Chair), Councillors: P Adams, I Bevan, K S Briggs, D M Cassidy, J Grimshaw, T Holt, R Hodgkinson, A K Matthews and S Southworth
Apologies for absence:	Councillors N Bayley and A Simpson
Public Attendance:	There was one member of the public in attendance

LSP.406 DECLARATIONS OF INTEREST

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

LSP.407 MINUTES**Delegated decision:**

That the Minutes of the Licensing and Safety Panel meeting held on 6 October 2014 be approved as a correct record and signed by the Chair.

In relation to LSP.349, Councillor Holt reported that he had met with Bury Parent Forum which is a 'not for profit' organisation, for children with special needs who require school and college transport. Unfortunately, Parents have had to make several complaints about drivers and their attitudes. Children's Services have previously arranged training for drivers and Councillor Holt requested if the Chair of the Licensing and Safety Panel, Councillor Jones, the Head of Trading Standards and Licensing and the Licensing Manager would be willing to meet with representatives of the Bury Parent Forum in order to address these issues.

The Chair, Councillor Jones, stated he would be agreeable with such a meeting, which would be arranged for the near future.

LSP.408 PUBLIC QUESTION TIME

Mr Charles Oakes of the Hackney Drivers' Association Ltd attended the meeting and addressed the Licensing and Safety Panel in relation to an increase in complaints from hackney drivers in relation to private hire vehicles plying for hire and dropping off and picking up from the hackney taxi ranks. Mr Oakes stated that he felt the Licensing and Safety Panel was not addressing these grievances and that he was now minded to employ a private security firm from Preston to help catch the perpetrators.

Licensing and Safety Panel, 3 November 2014

Mr Oakes also asked what the Licensing Service and Licensing and Safety Panel were doing about the ranks which were not available through being obstructed by illegally parked private cars.

The Licensing Manager reported that letters had been sent to all identified private hire drivers and operators regarding the use of hackney ranks. The Licensing Service was working with the Police in relation to the issue of private hire drivers plying for hire. A number of warnings had been issued and drivers would be brought before Panel if further breaches of their conditions continued.

With regards to additional taxi ranks, the Licensing Manager stated that it had been agreed with Highways that a trial temporary rank be available outside the Art Picture House for 18 months. For the 6 month period from 17th July when the trial commenced, objections could be received. However, it seemed that the hackney drivers were not really making use of this rank.

Mr Oakes argued that this rank was well used especially at weekends.

The Head of Trading Standards and Licensing explained that the Civil Parking Enforcement Officers do not routinely work night shifts but that they do issue a large number of fixed penalty notices to vehicles parked where they shouldn't at other times.

LSP.409 URGENT BUSINESS

There was no urgent business to report at the meeting.

LSP.410 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.411 PROPOSED SUSPENSION/REVOCATION OF A PRIVATE HIRE DRIVER'S LICENCE

(E)

The Licensing Manager presented a report submitted by the Assistant Director (Localities) regarding the Suspension/Revocation of a Hackney Carriage/Private Hire Driver's Licence.

1. Licence holder 33/2014 attended the meeting and was represented by the owner of Magnum Whiteline Taxis. The Chair outlined the procedure to be followed and the Licensing Manager read the report which was accepted by the licence holder and his representative.

Delegated decision:

Upon considering the written report, the oral representations made by the licence holder and his representative and taking account of relevant Policy and the Council's Conviction Guidelines, the Panel resolved, on a unanimous decision, that licence holder 33/2014 have his private hire driver's licence **revoked**.

The licence holder was reminded of their right of appeal to the Magistrates' Court within 21 days.

LSP.412 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

(E)

The Licensing Manager presented reports submitted by the Assistant Director (Localities) regarding applications for Public/Private Hire Vehicles Drivers' Licences.

The Applicants were invited to attend the meeting for separate hearings and the Chair outlined the procedure to be followed. The Applicants and their representatives were invited to address the Panel separately on their applications and any matters referred to in the Officer's report.

1. Applicant 32/2014 did not attend the meeting and had failed to attend the previous meeting of the Licensing and Safety panel on 6 October 2014, when it had been agreed to defer the hearing.

The members of the Licensing and Safety Panel therefore agreed unanimously to hear the case in the absence of the Applicant and the Licensing Manager read the report.

Delegated Decision:

The Panel determined the Applicant not to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976 and resolved that the Applicant identified as 32/2014 be **refused** a private hire driver's licence.

The Applicant would be informed of their right to appeal to the Magistrates' Court within 21 days.

2. Applicant 34/2014 attended the meeting and was accompanied by a friend. The Licensing Manager read the report which was accepted by the Applicant.

Licensing and Safety Panel, 3 November 2014

Delegated decision:

The Panel determined the Applicant not be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976 and resolved, unanimously, that Applicant 34/2014 be **refused** a private hire driver's licence.

The Applicant was reminded of their right of appeal to the Magistrates' Court within 21 days.

COUNCILLOR D JONES
CHAIR

(Note: The meeting started at 7.00 pm and finished at 8.10 pm)

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