

|                               |   |
|-------------------------------|---|
| <b>Minutes of:</b>            | <b>LICENSING AND SAFETY PANEL</b>   |
| <b>Date of Meeting:</b>       | 8 July 2013   |
| <b>Present:</b>               | Councillor D Jones (in the Chair),<br>Councillors: N Bayley, D M Cassidy, J<br>Frith, J Grimshaw, T Holt, A K Matthews;<br>T Pickstone and J F Walton |
| <b>Apologies for absence:</b> | Councillor S Southworth, Councillor I<br>Bevan and Councillor B Vincent   |
| <b>Public Attendance:</b>     | There were 3 members of public present<br>at the meeting  |

---

#### **LSP.155     DECLARATIONS OF INTEREST**

Councillor Pickstone declared a personal interest in respect of Minute LSP.158 below, Applications for a Public/Private Hire Driver's Licence, relating to 07/2013 as the applicant was employed at the same place of employment as his partner.

#### **LSP.156     MINUTES OF THE LAST MEETING**

##### **Delegated decision:**

That the Minutes of the Licensing and Safety Panel meeting held on 10 June 2013, be approved as a correct record and signed by the Chair subject to Minute LSP 106 (5) being amended to include the correct spelling of "drugs".

#### **LSP.157     PUBLIC QUESTION TIME**

There were no questions asked under this item.

#### **LSP.158     OPERATIONAL REPORT**

The Assistant Director (Localities) submitted a report setting out an update on operational issues within the licensing service. The report highlighted the outcome of a drivers appeal to the Magistrates Court which was dismissed along with the outcomes from 4 Licensing Hearings Panel meetings.

Further to the information detailed in the report, the Head of Commercial and Licensing reported on the outcome of 2 further Hearings Panels and a recent prosecution in respect of an unlicensed tattooist.

With regard to the granting of a licence for an alcohol home delivery service, it was explained that the Licensing Department

would have the ability to arrange test purchases and monitor the conditions of the licence. This is not currently the case for businesses licensed outside the borough who deliver to residents of Bury.

**Delegated decision:**

That the report be noted.

**LSP.159 MEETINGS WITH THE TAXI TRADE**

The Chair, Councillor Jones, reported that arrangements had been made for a meeting to take place with representatives from the local taxi trade. An undertaking was given to report back the outcome to the Panel.

**Delegated decision:**

That the information be noted.

(Note: The above item, which was not included on the agenda for the meeting, was allowed by the Chair to be considered as a matter of urgency in view of the need to inform the Panel at the earliest opportunity.)

**LSP.160 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.161 PROPOSED SUSPENSION/REVOCATION OF A HACKNEY CARRIAGE DRIVER'S LICENCE**

**(e)**

The Licensing Manager presented a report submitted by the Assistant Director (Localities) on the proposed suspension /revocation of a Hackney Carriage Driver's Licence.

The licence holder was invited into the meeting room for their hearing and the Chairman outlined the procedure to be followed. The Licensing Manager read out the contents of the report which was accepted by the licence holder.

The licence holder took the opportunity to address the Panel, through their legal representative, Mr James Parry.

**Delegated decision:**

Upon considering the written report, the oral representations made by the legal representative of Licence holder and taking account of relevant policy and guidance, the panel resolved that it was reasonable and proportionate to **admonish** the Licence holder identified as 08/2013 as to his future conduct.

Whilst acknowledging the severe provocation to the driver and the extraordinary circumstances he had found himself in, the Panel highlighted the fact that the driver had been convicted of an offence involving violence and that the expectation of the Council is that licence holders maintain the highest standards of public safety, trust and conduct.

**LSP.162 APPLICATIONS FOR PUBLIC/PRIVATE HIRE DRIVER'S LICENCES**

**(e)**

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

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

The Licensing Manager read out the contents of the report for each application which were accepted by the applicants, who took the opportunity to address the Panel individually.

**Delegated decisions:**

1. That after careful consideration of all the representations and evidence submitted and taking into account the Council's Conviction Guidelines, the application for a Private Hire Driver's Licence by applicant 06/2013 be **approved**. The Panel determined the applicant to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976.
2. That after careful consideration of all the representations and evidence submitted and taking into account the Council's Conviction Guidelines, the application for a Private Hire Driver's Licence by applicant 07/2013 be **approved**. The Panel determined the applicant to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976.
3. That after careful consideration of all the representations and evidence submitted and taking into account the Council's

Licensing and Safety Panel, 8 July 2013

Conviction Guidelines, the application for a Private Hire Driver's Licence by applicant 09/2013 be **approved**. The Panel determined the applicant to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

**COUNCILLOR D JONES**  
**CHAIR**

**(The meeting started at 7.00 pm and finished at 8.30 pm)**