

Minutes of:	LICENSING AND SAFETY PANEL
Date of Meeting:	3 September 2013
Present:	Councillor D Jones (in the Chair), Councillors: N Bayley, D M Cassidy, J Frith, J Grimshaw, T Holt, A K Matthews, A Quinn, T Pickstone, S Southworth, B Vincent and J F Walton
Apologies for absence:	Councillor I Bevan
Public Attendance:	There were 4 members of public present at the meeting

LSP.296 DECLARATIONS OF INTEREST

No declarations of interest were made in relation to any items considered at the meeting.

LSP.297 MINUTES OF THE LAST MEETING

Delegated decision:

That the Minutes of the Licensing and Safety Panel meeting held on 8 July 2013, be approved as a correct record and signed by the Chair.

LSP.298 PUBLIC QUESTION TIME

Mr Mahmood, representing an undisclosed number of Private Hire Drivers, addressed the Licensing and Safety Panel regarding the introduction of appointment times and the discontent amongst drivers of having to pay using a credit or debit card, rather than cash, for booking and paying for vehicle testing at Bradley Fold. He stated that not all drivers had this facility.

The Licensing Unit Manager replied that a letter had been sent to all licence holders within the taxi trade explaining the changes that were coming into effect on the 1st October 2013. Drivers would be able to contact the Licensing Office to book an appointment for the vehicle testing, up to 4 weeks in advance of the due date, then pay immediately by debit or credit card without the need to come to the Licensing Office. If the vehicle was prepared for testing there should be no reason for failure and the driver would then be able to call into the Licensing Office to pick up their licence plates between the hours identified in the letter. The reason for the debit/credit card payment was to speed up the process and was more cost effective. This would be the preferred method, however, if drivers

wished to pay cash they would still be able to but this would make the process longer.

Mr Ali Khan addressed the Licensing and Safety Panel explaining that he operated up to 170 cars in the Borough, for Elton Taxis. He stated that the problem for up to half of the drivers was that they could not speak English and the credit/debit card payment over the telephone would prove too difficult.

The Licensing Unit Manager stated that all drivers must pass a test in order to communicate with the public. They would not be a driver if they hadn't passed this test. He explained that the facility would be reviewed and if there were ongoing issues they would be considered.

LSP.299 OPERATIONAL REPORT

The Assistant Director (Localities) submitted a report setting out an update on operational issues within the Licensing Service which included the following:

- The outcome of a Forum which had taken place on 1 August with the Chair of Licensing, Councillor Jones, Council Officers and representatives of the hackney carriage and private hire trades. The Chair stated that it had been tentatively agreed to hold these Forums three times a year and the Licensing and Safety Panel members agreed this would be adequate.
- Information on a Licensing Hearings Panel for a premises licence for off sales which was heard on 22 July 2013 in respect of 88 Bury Old Road, where representations had been received from Greater Manchester Police, requesting conditions on the licence which were agreed by the applicant. The panel's decision was to grant the application and add the conditions to the licence.
- Review of the reporting mechanism relating to the testing of vehicles at Bradley Fold with the licensing software providers, Lalpac. The trade representatives had been notified of the review at the meeting on 1 August 2013.
- The Licensing Section are currently developing processes in respect of the Scrap Metal Dealers Act 2013, which creates a new licensing regime and will be administered by local authorities and require every scrap metal dealer to have a licence. The legislation has been extended to include motor salvage operators. The provisions of the Act will commence on 1 October 2013.

Councillor Holt asked whether there had been anything further regarding private hire vehicles using bus lanes and it was reported

that this was still an AGMA directive, however an update on this issue would be reported in the Operational Report for the next meeting of the Licensing and Safety Panel.

Delegated decision:

That the report be noted.

LSP.300 CONDITIONS IN RESPECT OF PET SHOP LICENCES

The Assistant Director (Localities) submitted a report on conditions in respect of pet shop licences. It was explained that through the Council Constitution the determination of conditions to be attached to pet shop licences is reserved to the Licensing and Safety Panel and the report requests Panel approval.

It was agreed:

That the Members of the Licensing and Safety Panel approve the conditions as requested to be applied by Officers in an appropriate and proportionate manner in consideration of individual premises.

LSP.301 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.302 PROPOSED SUSPENSION/REVOCATION OF A HACKNEY CARRIAGE DRIVER'S LICENCE

(e)

The Licensing Unit 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 Chair, Councillor Jones, outlined the procedure to be followed. The Licensing Unit 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 representative, Councillor Tariq.

Delegated decision:

Upon considering the written report, the oral representations made by the representative of the 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 their future conduct.

Whilst acknowledging the seriousness of the offence of failing to give information as to the identity of a driver (MS90), the Panel noted that the driver had been convicted of the offence and had been fined £180 with 6 penalty points on their DVLA licence. It was made clear to the applicant that the expectation of the Council is that licence holders maintain the highest standards of public safety, trust and conduct.

**COUNCILLOR D JONES
CHAIR**

(The meeting started at 7.00 pm and finished at 8.05 pm)