

General Licensing Committee

Meeting held at 2.00 p.m. on Tuesday, 11th July, 2017 in Cross Room, Civic Centre, West Paddock, Leyland PR25 1DH

Present:-

Cllr J Rainsbury (Deputy Mayor) (Chairman), Cllr M R Nelson (Vice-Chairman), Cllr Ms J Bell , Cllr Mrs M Green , Cllr H G Hancock , Cllr K E L Jones , Cllr J D Marsh , Cllr Mrs B A B Nathan , Cllr D J Watts , Cllr P J H Wharton , Cllr D Wooldridge

In Attendance:-

Andy Glover (interim Licensing Manager), Tasneem Safdar (Senior Solicitor) and Dianne Scambler (Democratic Services Officer)

Public Attendance:-

None.

Officers:-

Peter Haywood (Revenues Manager), Chris Ward (Licensing Officer) and Stephanie Fairbrother (Licensing Officer)

Minute No.	Description/Resolution	Action By/Deadline
12	Apologies for absence	
13	Declaration of Interest Councillor Jim Marsh declared a personal interest in Items 3 and 4 on the agenda.	
14	Application for vehicle to be assessed for (I) Fitness for Executive Hire and (II) exemption from Policy requirements on tinted windows. Councillor Jim Marsh declared a personal interest in the next two items and left for remainder of the meeting. The Committee received a report that sought a view as to whether the Committee would consider departing from policy should an application be received regarding the following two points. a) whether it would be willing to licence a Kia Sportage Kx4 for use as a Private Hire Vehicle for executive travel and therefore negating it to display its external plates in accordance with S7.13 of the Licensing Policy and b) with regard to the tinted windows on the vehicle – whether members would wish to depart from the Council's current policy requirements as set out in S7.5 of the Policy The Committee viewed the vehicle and received representations from the owner and the Interim	

	<p>Licensing Manager. Although the vehicle was of a good standard, it was the Committee's view that the make and model of the vehicle was not one of an executive style. The Committee also noted that the Applicants had not engaged with Licensing Officers to request whether such a vehicle would be suitable for executive hire, prior to its purchase. The Committee felt this was unfortunate.</p> <p>With regard to tint levels, when the vehicle was brought in for Council officers to undertake a preliminary check at the end of May 2017 it was established that the vehicle failed the light transmission test (as defined in Licensing Policy). In accordance with the Council's Policy on vehicle tints which requires a light transmission level of 70%, this vehicle would not be suitable for licensing as a Private Hire Vehicle.</p> <p>Ordinarily, if the committee were minded to agree that this would be a suitable vehicle for use without the display of external plates, then they would have been minded to agree an exemption of S7.5 of the Policy. However, as the vehicle has been deemed not to be an executive vehicle, then the Committee would not be minded to provide such an exemption.</p>	
15	<p>Request for an exemption from the Council's Age Policy in respect of a Private Hire Vehicle.</p> <p>A report was submitted regarding an application that had been made to determine whether a Private Hire Vehicle, should continue to be licenced, as the vehicle fell outside the Council's maximum age policy. In accordance with the Council's age policy, it would be too old to be licensed as a Private Hire Vehicle. The applicant attended the meeting and addressed the Committee. The Committee inspected the vehicle and also received representations from the Councils Interim Licensing Manager.</p> <p>The Committee noted that the vehicle was first registered in the UK on 15 March 2007, and was therefore 10 years and 4 months old. The vehicle had been licensed with the Council since 2010 and its current vehicle licence is due to expire on 31 August 2017.</p> <p>The Committee considered that the condition of the vehicle was not exceptional when considering its standard against the Council's Age Policy. Although sympathetic to the applicant's circumstances, the Committee did not feel that there were exceptional circumstances to justify departing from the policy. The Committee RESOLVED: (FOR: 7, AGAINST: 3) to REFUSE the application in line with the Council's Age Policy.</p>	
16	<p>Exclusion of Press and Public</p>	

	RESOLVED – That the press and public be excluded from the meeting for the following item of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.	
17	<p>Hearing under statutory “fit and proper” test - Driver A</p> <p>The Committee received a report regarding the fitness and propriety of Driver A to continue to hold a Private Hire Driver’s Licence. The applicant attended the meeting and addressed the Committee. The Committee also received representations from the Council’s Interim Licensing Manager. The Committee RESOLVED (Unanimous): to revoke the driver’s current licence with immediate effect. The Committee did not find Driver A on the balance of probabilities to be a fit and proper person to continue to hold a Private Hire Driver’s Licence in the interests of public safety.</p>	

The meeting closed at 4.30pm.

..... Chairman

Published on Friday, 21st July, 2017