

## Minutes of Licensing Committee

Meeting Date: Tuesday, 20 March 2012, starting at 6.30pm  
Present: Councillor J Holgate (Chairman)

Councillors:

P Ainsworth	C Ross
P Dowson	G Scott
R Hargreaves	R Swarbrick
S Knox	M Thomas

In attendance: Head of Legal and Democratic Services.

### 791 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors J Alcock, S Brunskill, C Conner and R Moores.

### 792 MINUTES

The minutes of the meeting held on 29 November 2011 were approved as a correct record and signed by the Chairman.

### 793 DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

### 794 PUBLIC PARTICIPATION

There was no public participation.

### 795 REFERENCES FROM OVERVIEW AND SCRUTINY COMMITTEE

There were no references from Overview and Scrutiny Committee.

### 796 CHANGES TO THE CONDITIONS ATTACHED TO VEHICLES LICENCES

The Head of Legal and Democratic Services sought Committee's instructions about changes to the hackney carriage and private hire vehicle, driver and operator licences to address the following issues:

1. The introduction of national inspection standards for hackney carriage and private hire vehicles.
2. Smoking in vehicles and at the operating base.

The Department for Transport had produced guidance about the standard of hackney carriage and private hire vehicles in 2011 and a letter had been sent to all vehicle licence holders at that time. This set out some areas where the

Council's current testing procedure was different from the recommendations in the guidance. Six areas had been identified as follows:

- Use of space saver tyres.
- Use of trailers.
- Certification as to the serviceability of lifts for wheelchair accessible vehicles.
- Extinguisher signs.
- Tinted windows.
- Body condition.

The Head of Legal and Democratic Services informed Committee that a specific request had been received from the Council's Enforcement Officer in relation to vehicles which had tinted windows, where the tinting was such as to prevent the occupants of the vehicle being visible. She commented that this presented problems for the Enforcement Officer as he could neither identify the driver or the number of persons in the vehicle. It was the Council's practice to consult licence holders about any proposed changes in conditions. Members then discussed the matter in some detail.

RESOLVED: That

1. Committee supported measures to prevent smoking in vehicles and at the operating base, and a restriction on the use of vehicles with tinted windows; and
2. Committee authorise the Head of Legal and Democratic Services to consult licence holders about changes to licence conditions to implement the decision made above.

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#### CHANGES TO THE INFRINGEMENT SCHEME

The Head of Legal and Democratic Services reminded Committee of its Infringement Scheme which was last amended in December 2007.

The Council's Enforcement Officer had identified several areas where he was unable to take action as the conditions of the Council's licences were not accurately reflected in the Infringement Scheme.

The purpose of bringing this report to Committee was to seek Committee's authorisation to simultaneously consult in relation to consequential changes to the Infringement Scheme such as in relation to smoking in vehicles and at the operator's base and other issues such as use of vehicles in breach of conditions about driving outside the area and any other conditions which are not currently reflected within the scheme. She commented that a report would be brought back to Committee for final approval once the consultation exercise had been completed.

A recent survey of hackney carriage drivers had been carried out in connection with the issue about drivers from outside the area using their vehicles to carry out

private work inside the Ribble Valley. The purpose of the survey was to ensure that the Council in the absence of a public meeting kept under review issues affecting hackney carriages. The following issues had been raised:

- A review of the hackney carriage fee tariff – the overwhelming response of the hackney carriage drivers was that they do not request that the tariff be reviewed at this stage.
- Possible implementation of additional ranks – all 16 had agreed that there should be additional ranks if this could be arranged with the Highway Authority.
- A fee increase to fund a survey as to unmet demand – only 4 of those who responded to the survey were supportive of fee increase to fund a survey.
- Use of hackney vehicles outside the Ribble Valley – only 3 of the respondents had indicated that they intended to use their vehicles outside the Ribble Valley.

RESOLVED: That Committee authorise the Head of Legal and Democratic Services to consult licence holders about changes to the taxi Infringement Scheme to ensure that the scheme matches the existing licence conditions and proposed changes to licence conditions agreed at minute No

#### 798 LICENSING OF SEX ESTABLISHMENTS

The Head of Legal and Democratic Services referred to Minute 311 of Committee dated September 2011 and now informed Committee that only 1 response had been received following the 10 week public consultation exercise. This was from Bowland Forest Higher Division Parish Council who had recorded their support for the principle of having a policy in place to deal with applications of this nature. In the light of this response it was recommended that Committee commend the Corporate Policy for the determination of applications for sex establishments which was enclosed with the report.

Members then discussed the Corporate Policy in some detail. A number of apparent anomalies were highlighted by the Committee and the Head of Legal and Democratic Services undertook to ensure that if an application was received these matters were considered. The policy ensured that Council had a set of approved standard conditions; these would be selected to ensure they were appropriate for the type of establishment to be licensed.

\*\*\* RESOLVED: That Committee recommend and refer the Corporate Policy for the determination of applications for sex establishments and standard conditions to Full Council for approval. \*\*\*

The meeting closed at 7.13pm.

If you have any queries on these minutes please contact Diane Rice (414418).