

Minutes of Licensing Sub-Committee

Meeting Date: Friday, 26 June 2015 starting at 10am
Present: Councillor R Hargreaves (Chairman)

Councillors:

I Brown
S Brunskill

In attendance: Solicitor, Administration and Licensing (Alcohol and Entertainment) Officer, Taxi Enforcement Officer and Administration Assistant (Licensing).

APOLOGIES

There were no apologies for absence from the meeting.

DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

LICENSING HEARING – PREMISES

The Committee was asked to determine an application by Forum Whalley Ltd for the grant of a premises licence in respect of 41 and 41a King Street, Whalley, Clitheroe BB7 9SP. A copy of the licence application was included for Committee's information with details of the licensable activities applied for and the proposed hours. The Applicant had agreed to incorporate challenge 25 policy and agreement had also been reached between the Applicant's solicitor and the Council's Pollution Control Officer to include conditions in relation to noise, odour, light, pollution and litter. 16 relevant representations had been received and these were attached to the report for Committee's information.

The Applicant gave a brief résumé of the nature of the application and a little background to the proposed premises as the Applicant already operates a similar premises in Winckley Square, Preston, at which premises they had not received any complaints in 10 years of operation.

The Chairman gave the two residents present an opportunity to speak along with the two ward councillors. They expressed their concern regarding noise, hours of operation and the particular problem of taxis collecting on this part of King Street.

In response Counsel for the Applicant indicated that in reality hours of opening would not be to the extent applied for and the only extension required would be one additional hour on Christmas Eve, Boxing night and New Year's Eve. He acknowledged the issue with regard to taxis at this particular site.

The Committee retired to determine the application and informed the Applicant that he would be notified within 5 days.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the next items of business being exempt information under Category 1 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting

LICENSING HEARING – TAXIS

NOTIFICATION OF CONVICTION

Committee considered a report of the Head of Legal and Democratic Services regarding whether a Hackney Carriage driver be a fit and proper person to hold a Hackney Carriage driver's licence. Details were given relating to a particular incident that had taken place and the subsequent actions of the Court. The licence holder was given the opportunity to make representations to the Sub-Committee who then considered all the circumstances, taking into account the Council's convictions policy.

RESOLVED: That Committee agree that the driver remains a fit and proper person to hold a Hackney Carriage driver's licence.

PRIVATE HIRE DRIVER'S LICENCE

Committee considered a report of the Head of Legal and Democratic Services which included the infringements that had taken place.

The driver was given the opportunity to make representations to the Sub-Committee who then considered all the circumstances, and determined the use of sanctions against the licence holder.

RESOLVED: That Committee agree that the 15 infringement points remain on the driver's private hire driver's licence until they naturally expire, but it should be made clear that under the Council's Infringement Scheme, 'more than one accumulation of penalty points in excess of a personal threshold in any three year period will result in the Committee reviewing whether the individual is suitable to continue holding licences with the Authority'.

PRIVATE HIRE DRIVER'S LICENCE

Committee considered a report of the Head of Legal and Democratic Services which included the infringement points accrued.

The driver was given the opportunity to make representations to the Sub-Committee who then considered all the circumstances, and determined the use of sanctions against the licence holder.

RESOLVED: That Committee agree that the accrued infringement points remain on the driver's private hire driver's licence until they naturally expire, but it should be made clear that under the Council's Infringement Scheme, 'more than one accumulation of penalty points in excess of a personal threshold in any three year period will result in the Committee reviewing whether the individual is suitable to continue holding licences with the Authority'.

PRIVATE HIRE DRIVER'S LICENCE

Committee considered a report of the Head of Legal and Democratic Services which included the infringement points accrued.

The driver was not present to make any representations to the Sub-Committee.

RESOLVED: That Committee agree that the accrued 12 infringement points remain on the private hire driver's licence until they naturally expire, but it should be made clear that under the Council's Infringement Scheme, 'more than one accumulation of penalty points in excess of a personal threshold in any three year period will result in the Committee reviewing whether the individual is suitable to continue holding licences with the Authority'.

PRIVATE HIRE DRIVER'S LICENCE

Committee considered a report of the Head of Legal and Democratic Services which included the accrued infringement points.

The driver was not present to make representations to the Sub-Committee.

RESOLVED: That Committee agree that the accrued 13 infringement points remain on the private hire driver's licence until they naturally expire, but it should be made clear that under the Council's Infringement Scheme, 'more than one accumulation of penalty points in excess of a personal threshold in any three year period will result in the Committee reviewing whether the individual is suitable to continue holding licences with the Authority'.

The meeting closed at 1pm.

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