

**LICENSING REGULATORY  
COMMITTEE**

**1.00 P.M.**

**6TH JANUARY 2011**

**PRESENT:-** Councillors Tony Wade (Chairman), Mike Greenall (Vice-Chairman), Ken Brown, John Day, Sheila Denwood, Melanie Forrest, Tony Johnson and Robert Redfern

Apologies for Absence

Councillor Chris Coates

Officers in attendance:-

Luke Gorst	Assistant Solicitor
Wendy Peck	Licensing Manager
Debbie Rose	Licensing Enforcement Officer
Rod Prentice	Licensing Enforcement Officer
Stewart Adair	Assistant Licensing Officer (part)
Tom Silvani	Democratic Support Officer

**68 MINUTES OF THE MEETING HELD ON 2 DECEMBER 2010 (PREVIOUSLY CIRCULATED)**

The minutes of the meeting were signed by the Vice-Chairman as a correct record.

**69 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN**

There were no items of urgent business.

**70 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**71 EXEMPT ITEMS:-**

In accordance with Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 1 of Schedule 12 of the Act.

**72 EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE - GRANVILLE HAWORTH (PAGES 1 - 3)**

The Licensing Manager presented a report to enable members to consider what action, if any, to take in respect of Mr. Haworth's hackney carriage driver's licence.

Details of the individual case are set out in exempt minute no. 72, in accordance with Section 100A of the Local Government Act 1972.

It was proposed by Councillor Brown and seconded by Councillor Denwood: -

“That no action be taken in respect of Mr. Haworth’s hackney carriage driver’s licence.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposition to be carried.

***Resolved:***

That no action be taken in respect of Mr Haworth’s hackney carriage driver’s licence.

***Stewart Adair, Assistant Licensing Officer arrived at the meeting at this point.***

**73 EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE - DANIEL KITSON (PAGES 4 - 6)**

The Licensing Manager presented a report to enable members to consider what action, if any, to take in respect of Mr. Kitson’s hackney carriage driver’s licence.

Details of the individual case are set out in exempt minute no. 73, in accordance with Section 100A of the Local Government Act 1972.

It was proposed by Councillor Brown: -

“That Mr. Kitson’s hackney carriage driver’s licence be suspended for a period of 1 month.”

However it was noted that there was no seconder to the proposition and therefore the proposition was deemed to have fallen.

It was proposed by Councillor Forrest and seconded by Councillor Brown: -

“That no action be taken in respect of Mr. Kitson’s hackney carriage driver’s licence.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposition to be carried.

***Resolved:***

That no action be taken in respect of Mr Kitson’s hackney carriage driver’s licence.

**74 EXISTING PRIVATE HIRE DRIVER'S LICENCE - SURINDER PAL SINGH JALWAL (PAGES 7 - 8)**

The Licensing Manager presented a report to enable members to consider what action, if any, to take in respect of Mr. Jalwal’s private hire driver’s licence.

Details of the individual case are set out in exempt minute no. 74, in accordance with Section 100A of the Local Government Act 1972.

It was proposed by Councillor Brown and seconded by Councillor Greenall: -

“That no action be taken in respect of Mr. Jalwal’s private hire driver’s licence.”

Upon being put to the vote, Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposition to be carried.

**Resolved:**

That no action be taken in respect of Mr Jalwal's private hire driver's licence.

**75 CONFIDENTIAL ITEMS:-**

In accordance with Section 100A(2) of the Local Government Act 1972, the press and public were excluded for the following items of business on the grounds that they could include the possible disclosure of confidential information.

***Councillor Johnson left the meeting at this point and took no part in consideration of the following item.***

**76 APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE - JOSEPH JAMES MITCHELL (PAGES 9 - 11)**

The Licensing Manager introduced a report to enable members to consider Mr. Mitchell's application for a private hire driver's licence.

Details of the individual case are set out in confidential minute no. 76 in accordance with Section 100A(2) of the Local Government Act 1972.

It was proposed by Councillor Greenall and seconded by Councillor Forrest: -

"That Mr. Mitchell's application for a private hire driver's licence be granted."

Upon being put to the vote, 3 Members voted in favour of the proposition, and 4 Members against, whereupon the Chairman declared the proposition to be lost.

It was proposed by Councillor Denwood and seconded by Councillor Redfern: -

"That Mr. Mitchell's application for a private hire driver's licence be refused."

Upon being put to the vote, 4 Members voted in favour of the proposition, and 3 Members against, whereupon the Chairman declared the proposition to be carried.

**Resolved:**

That Mr. Mitchell's application for a private hire driver's licence be refused.

***Councillor Johnson returned to the meeting at this point.***

**77 APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE - PHILIP MICHAEL YOUREN (PAGES 12 - 13)**

The Licensing Manager introduced a report to enable members to consider Mr. Youren's application for a private hire driver's licence.

Details of the individual case are set out in confidential minute no. 77 in accordance with Section 100A(2) of the Local Government Act 1972.

It was proposed by Councillor Greenall and seconded by Councillor Redfern: -

“That Mr. Youren’s application for a private hire driver’s licence be refused.”

Upon being put to the vote Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposition to be carried.

**Resolved:**

That Mr. Youren’s application for a private hire driver’s licence be refused.

***The press and public were readmitted to the meeting at this point:-***

**78 STREET COLLECTION PERMITS 2011**

The Licensing Manager introduced a report containing a schedule of the organisations that had applied for street collection permits in 2011, together with details of the Licensing Regulatory Committee’s current policy on the allocation of permits.

Members were reminded of the committee’s policy with regard to the allocation of permits, which was as follows:

- (a) That 96 street collection permits be available for allocation annually, as follows:-
  - 18 for Lancaster, 18 for Morecambe, 12 for Carnforth and the Rural areas for national charities and 18 for Lancaster, 18 for Morecambe, 12 for Carnforth and the rural areas for local charities, which demonstrate that all money collected will be distributed within the City Council district.
- (b) That, in addition, permits be issued annually to the Royal British Legion Poppy Appeal; the Lancaster University Rag Appeal; the Lancaster, Morecambe & Carnforth Round Table Christmas Appeals; the Lancaster, Morecambe & Carnforth Carnivals; the Morecambe Branch of the RNLI and the Telethon Appeal.
- (c) That, if in any one year there are more allocations than permits available, then the allocation be determined by ballot, the Licensing Regulatory Committee being recommended to give first consideration to those applicants utilising their funds locally.
- (d) No charity to be granted street collection permits for both Lancaster and Morecambe in any one year.
- (e) That a charity which has been granted street collection permits for 3 consecutive years be granted a permit for the 4<sup>th</sup> year in succession, only if no other qualifying charities would, as a consequence, be deprived of a permit.

Members were informed that the Royal Air Force association had applied for street collection permits for Morecambe, Lancaster and Carnforth, all for the same date in September. If members were minded to grant these applications it would be a move from paragraph (d) in the policy on the allocation of street permits above.

Members were advised that there were sufficient permits available, in accordance with the policy, for all applicants to be granted a permit, although, in accordance with the policy those charities that have applied for permits for Lancaster and Morecambe may only be allocated one.

It was recommended that permits be issued to all applicants that met the criteria listed in the schedule, and that the Head of Governance be authorised to allocate the remaining permits on a 'first come first served' basis.

It was proposed by Councillor Johnson and seconded by Councillor Greenall:-

- "(1) That permits be allocated to the 3 national charities that have applied for a permit for Lancaster.
- (2) That a permit be allocated to the 1 national charity that has applied for a permit for Morecambe.
- (3) That a permit be allocated to the 1 national charity that has applied for a permit in Carnforth.
- (4) That a permit be allocated to the 1 national charity that has applied for a permit in Heysham
- (5) That permits for Lancaster be allocated to the 3 local charities that demonstrate that all money collected will be distributed within the City Council District.
- (6) That a permit for Morecambe be allocated to the 1 local charity that demonstrates that all money collected will be distributed within the City Council District.
- (7) That the Head of Governance be authorised to allocate the remaining unallocated permits to both national and local charities, on a 'first come, first served' basis."

Upon being put to the vote Members voted unanimously in favour of the proposition, whereupon the Chairman declared the proposition to be carried.

***Resolved:***

- (1) That permits be allocated to the 3 national charities that have applied for a permit for Lancaster.
- (2) That a permit be allocated to the 1 national charity that has applied for a permit for Morecambe.
- (3) That a permit be allocated to the 1 national charity that has applied for a permit in Carnforth.
- (4) That a permit be allocated to the 1 national charity that has applied for a permit in Heysham

- (5) That permits for Lancaster be allocated to the 3 local charities that demonstrate that all money collected will be distributed within the City Council District.
- (6) That a permit for Morecambe be allocated to the 1 local charity that demonstrates that all money collected will be distributed within the City Council District.
- (7) That the Head of Governance be authorised to allocate the remaining unallocated permits to both national and local charities, on a 'first come, first served' basis."

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Chairman

(The meeting ended at 4.10 p.m.)

**Any queries regarding these Minutes, please contact  
Tom Silvani, Democratic Services - telephone (01524) 582132 or email  
tsilvani@lancaster.gov.uk**

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