

**LICENSING REGULATORY  
COMMITTEE**

**1.00 P.M.**

**31ST AUGUST 2017**

**PRESENT:-** Councillors Colin Hartley (Chairman), Terrie Metcalfe (Vice-Chairman), Alan Biddulph (for Minute Nos. 25 to 31 only), Susie Charles, Charlie Edwards (substitute for Joan Jackson) (for Minute Nos. 29 to 32 only), Mel Guilding, Tim Hamilton-Cox (for Minute Nos. 25 to 31 (part) only), Janice Hanson and Robert Redfern

Apologies for Absence:

Councillor Joan Jackson

Officers in Attendance:

Stephen Sylvester	Food, Safety and Licensing Manager
Rephael Walmsley	Solicitor
David Eglin	Licensing Enforcement Officer
Debbie Rose	Licensing Enforcement Officer
Jane Glenton	Democratic Support Officer

**25 MINUTES**

The Minutes of the meeting held on 3<sup>rd</sup> August 2017 were signed by the Chairman as a correct record.

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

There were no items of urgent business.

**27 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**MATTERS FOR DECISION**

**28 EXEMPT ITEM**

The Chairman advised Members that it had been recommended to exclude the press and public from the meeting for the following item on the grounds that it could involve the possible disclosure of exempt information.

It was moved by Councillor Charles and seconded by Councillor Redfern:

“That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the possible disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of that Act.”

A vote was taken and the motion was unanimously carried.

***Resolved:***

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

***Councillors Edwards arrived at this point.***

***Councillor Biddulph arrived at this point.***

**29 EXISTING DUAL DRIVER'S LICENCE - MARK RICHARDSON (PAGES 5 - 8)**

The Committee received the report of the Food, Safety and Licensing Manager to enable Members to consider what action, if any, to take in respect of Mr. Richardson's dual driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 29, in accordance with Section 100A(4) of the Local Government Act 1972.

***Decision of the Committee:***

That Mr. Richardson's dual private hire and hackney carriage driver's licence be suspended for a period of 14 days in the interest of public safety.

**30 PUBLIC ITEMS**

The press and public were readmitted to the meeting at this point.

***Councillor Hamilton-Cox left the meeting mid-way through the following item.***

**31 WHEELCHAIR ACCESSIBLE VEHICLES - PUBLISHING A LIST OF LICENSED VEHICLES**

The Committee received the report of the Food, Safety and Licensing Manager to inform Members of the action taken by him to publish a list of Wheelchair Accessible Vehicles on the Council's website.

It was reported that the Equality Act 2010 (Commencement No. 12) Order 2017 had brought into force Sections 165 and 167 of the Equality Act 2010 on 6<sup>th</sup> April 2017.

Sections 165, 166 and 167 of the Equality Act 2010 dealt with the imposition of duties on the drivers of wheelchair accessible hackney carriage vehicles and private hire vehicles to assist passengers who use wheelchairs.

It was reported that, in accordance with Section 167, a list of vehicles had been published on the Licensing page of Lancaster City Council's website. The operators and proprietors appearing on the list had been advised of the proposal to publish the list, and their agreement had been sought to the publication of a contact telephone number. All would be informed, in writing, of their obligations under the Equality Act 2010.

Members were advised that, further to the Committee's request, at its meeting on 1<sup>st</sup> June 2017, that a report be submitted to a future meeting of the Committee identifying potential options to address the availability of wheelchair accessible vehicles, this would be prepared following the appointment of a Principal Licensing Officer.

***Resolved:***

That the publication of a list of Wheelchair Accessible Vehicles on the Council's website be noted.

**32 SUITABILITY OF PORTABLE FIRE EXTINGUISHERS IN TAXIS**

The Committee received the report of the Food, Safety and Licensing Manager to enable Members to consider and determine whether to amend the current licence condition in relation to the type of fire extinguisher required to be carried in a hackney carriage and private hire vehicle.

It was reported that there was a requirement within the Council's Rules, Regulations and Procedures for Hackney Carriage & Private Hire Licensing to provide a suitable and efficient fire extinguisher in vehicles at all times when they were in use and available for hire, which should be carried in such a position as to be readily available for immediate use. There was, however, no further description or specification provided, and the use of dry powder-type fire extinguishers was not prohibited.

During the recent vehicle compliance checks, which had been reported to the Committee on 13<sup>th</sup> July 2017, VOSA had raised concerns about the use of dry powder fire extinguishers in confined spaces with passengers. It was understood that the discharge of a dry powder fire extinguisher in a vehicle carrying passengers could place the passengers at risk of asphyxiation.

Advice had been sought from VOSA, Lancashire Fire & Rescue Service and other Licensing Authorities. There was, however, no clear statutory guidance or legislation on the safe use of dry powder fire extinguishers.

It was proposed by Councillor Metcalfe and seconded by Councillor Edwards:

"That, following the appointment of a Principal Licensing Officer, a sub-committee of the Licensing Regulatory Committee be formed to research the matter and report back on its findings to the Licensing Regulatory Committee, such sub-committee comprising Members, Officers and members of the Trade."

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

***Resolved:***

That, following the appointment of a Principal Licensing Officer, a sub-committee of the Licensing Regulatory Committee be formed to research the matter and report back on its

findings to the Licensing Regulatory Committee, such sub-committee comprising Members, Officers and members of the Trade.

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Chairman

(The meeting ended at 3.00 p.m.)

**Any queries regarding these Minutes, please contact  
Jane Glenton, Democratic Services - telephone (01524) 582068, or email  
jglenton@lancaster.gov.uk**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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