

**LICENSING REGULATORY  
COMMITTEE**

**1.00 P.M.**

**8TH JANUARY 2015**

**PRESENT:** Councillors Margaret Pattison (Chairman), Mike Greenall (Vice-Chairman), June Ashworth (substitute for Roger Dennison), Jonathan Dixon, Tim Hamilton-Cox, John Harrison, Tony Johnson, Roger Mace and Robert Redfern

Apologies for Absence:

Councillor Roger Dennison

Officers in Attendance:

Mark Cullinan	Chief Executive
Wendy Peck	Licensing Manager
Luke Gorst	Assistant Solicitor
David Eglin	Licensing Officer
Debbie Rose	Licensing Enforcement Officer
Annabelle Holloway	Legal Apprentice
Julian Inman	Senior Planner (Regeneration) (for Minute No. 56 only)
Sarah Grandfield	Democratic Support Officer
Jane Glenton	Democratic Support Officer

**53 MINUTES**

The Minutes of the meeting held on 13<sup>th</sup> November 2014 were signed by the Chairman as a correct record.

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

There were no items of urgent business.

**55 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**ITEM SUBJECT TO PUBLIC PARTICIPATION**

**56 REVIEW OF HACKNEY CARRIAGE STANDS - MORECAMBE**

The Committee received the report of the Licensing Manager to inform Members of the responses in relation to the recent consultation on the proposal received as part of the Morecambe Area Action Plan (MAAP) to remove the existing rank on Market Street, Morecambe, and appoint a rank on the other side of the road on Market Street, Morecambe; and to ask Members to consider, in conjunction with the responses, the further proposals in relation to making amendments to the rank provision in Morecambe.

Under the Scheme of Public Participation, Mr. David Hodgson spoke in objection to the proposal to change the position of the rank on Market Street, Morecambe and reduce its size.

The Licensing Manager reported that the provision of ranks in Morecambe was being considered as part of the MAAP. Proposals had been put forward by Regeneration and Planning Services. The statutory consultation period on those proposals had closed on 21<sup>st</sup> November 2014. Thirty responses had been received, all against the proposal.

One response had proposed that a one or two space rank be maintained on the Arndale Centre (east) side of Market Street, which would work in the same way as the hackney carriage rank at Lancaster Station. Licensing Officers would support at least one additional space of approximately 5 m outside the Arndale Centre, in order that customers would not have to cross Market Street to get to the first car on the rank.

Lancashire County Council, as Highway Authority, was unhappy with the proposal, and wanted the disabled parking and the rank to be kept separate, with the rank on the west side of Market Street and the disabled parking on the east side. The Highway Authority had suggested that taxi drivers would abuse the proposed facility, if approved.

The hackney carriage trade had additionally been concerned with the proposal for Market Street.

It was reported that officers in Regeneration and Planning Services had proposed the following to allay concerns about the proposal for Market Street and provide bays in the wider area to meet the needs of the taxi trade. The proposals had been discussed with Lancaster City Hackney Proprietors Association representatives:

- To provide daytime bays and overnight bays on Tunstall Street to compensate for the net reduction on Market Street and make for better balanced provision, with bays effectively either side of the Arndale Centre.
- To provide overnight bays on the landward side of Marine Road Central, both immediately east of Queen Street and between Pedder Street and Euston Road. During the daytime these would remain as time limited street parking.
- To remove the bays on the Clock Tower car park on Marine Road, which it was understood were used lightly during the day and more so at night. The new on-street overnight provision was better located and should compensate. The removal of the bays on the car park was required as part of a project to reconfigure the areas both side of the Eric Morecambe statue so that the land use here was as effective as it could be. This project fitted to the MAAP and provided a new, improved children's play area on the central seafront, reconfigured and more pedestrian friendly parking areas, more space at the east side of the Eric Morecambe statue to make a new pedestrian gateway from the seafront to the town at Euston Road and a new off-carriageway bus stop.

The Senior Planner (Regeneration) circulated a plan showing the proposed regeneration scheme and outlined the proposals, and reasons for them, in detail to Members.

The Chief Executive advised that the recommendations regarding rank provision in Market Street, as set out in the report, did not satisfy the regeneration requirements for

Morecambe, the taxi trade, Mr. Hodgson (the public speaker) or the Highway Authority. It was therefore recommended that Members defer the matter to allow a satisfactory proposal to be presented to the Committee.

It was proposed by Councillor Johnson and seconded by Councillor Ashworth:

“That the proposals regarding rank provision in Market Street be deferred to allow a satisfactory proposal to be presented to the Committee.”

During the debate, it was moved by Councillor Dixon, by way of friendly amendment, that the further proposals, set out in recommendation 2 of the report, regarding amendments to the rank provision in Morecambe, be advertised, in accordance with Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976. This was seconded by Councillor Ashworth and accepted as a friendly amendment by the proposer of the original motion.

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

***Resolved:***

- (1) That the proposals regarding rank provision in Market Street be deferred to allow a satisfactory proposal to be presented to the Committee.
- (2) That the Chief Officer (Governance), in accordance with Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976, advertises the following changes to the hackney carriage stand provision in Morecambe:
  - a) To remove the 43 m 9 space rank at Marine Road central car park.
  - b) To create a 15 m 3 space 24 hour rank on Tunstall Street.
  - c) To create a 23 m 5 space overnight rank to operate between the hours of 6.00 p.m. and 8.00 a.m. on Marine Road Central outside of the Queens Hotel and between Pedder Street and Euston Road.
  - d) To create a 10 m 2 space overnight rank to operate between the hours of 6.00 p.m. and 8.00 a.m. on Tunstall Street.

The Senior Planner (Regeneration) left the meeting at this point.

***The meeting adjourned for 10 minutes.***

#### ITEMS NOT SUBJECT TO PUBLIC PARTICIPATION

##### 57 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 12A of that Act.

**The Chairman advised that the Agenda would be re-ordered in consideration of there being a witness attending the meeting.**

Councillor Johnson declared an interest in the following item prior to the decision being made, in that he knew the family of the witness, and Mr. Kitson was a resident of his ward of Carnforth. Councillor Johnson took no part in the decision making.

**58 APPLICATION FOR A PRIVATE HIRE AND HACKNEY CARRIAGE DUAL DRIVER'S LICENCE - DANIEL KITSON (PAGES 2 - 5)**

The Committee received the report of the Licensing Manager to enable Members to consider Mr. Kitson's application for a private hire and hackney carriage dual driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 58, in accordance with Section 100A of the Local Government Act 1972.

***Decision of the Committee:***

That Mr. Kitson's application for a private hire and hackney carriage dual driver's licence be granted.

**59 EXISTING PRIVATE HIRE DRIVER'S LICENCE - ALLAN FRANK STOCKS (PAGES 6 - 9)**

The Committee received the report of the Licensing Manager to enable Members to consider what action, if any, to take in respect of Mr. Stocks' private hire driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 59, in accordance with Section 100A of the Local Government Act 1972.

***Decision of the Committee:***

That Mr. Stocks' private hire driver's licence be suspended until he has passed the standard Driving Standards Agency test.

**60 CONFIDENTIAL ITEM**

In accordance with Section 100A(2) of the Local Government Act 1972, the press and public were excluded for the following item of business because it could include the possible disclosure of confidential information.

**61 APPLICATION FOR A PRIVATE HIRE AND HACKNEY CARRIAGE DUAL DRIVER'S LICENCE - KIERAN ANDREW SMITH (PAGES 10 - 12)**

The Committee received the report of the Licensing Manager to enable Members to consider Mr. Smith's application for a private hire and hackney carriage dual driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in confidential minute no. 61, in accordance with Section 100A of the Local Government Act 1972.

***Decision of the Committee:***

That Mr. Smith's application for a private hire and hackney carriage dual driver's licence be granted.

**62 PUBLIC ITEM**

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

**63 REVIEW OF RECENT COURT CASES**

The Committee received the report of the Licensing Manager to inform Members of the outcomes of recent court cases in relation to hackney carriage and private hire drivers, as follows:

- *Mr. Arshad Mahmood, Morecambe* – on 17<sup>th</sup> October 2014, convicted of driving a hackney carriage vehicle without first obtaining a licence and not having the relevant motor insurance. Fined £400, with £150 costs, and ordered to pay £40 victim surcharge. Given 8 penalty points on his DVLA driver's licence.
- *Keith Raby, Nether Kellet* - – on 3<sup>rd</sup> October 2014, convicted of plying for hire on a street which was not a designated rank, contrary to byelaws adopted by Lancaster City Council. Fined £400 and ordered to pay £150 costs and a £40 surcharge.
- *Heida Bala, Lancaster* – on 3<sup>rd</sup> October 2014, convicted of plying for hire on a street, which was not a designated rank, contrary to byelaws adopted by Lancaster City Council. Fined £400 and ordered to pay £150 costs and a £40 victim surcharge.
- *Raymond Croft, Lancaster* – on 12<sup>th</sup> September 2014, convicted of plying for hire on a street, which was not a designated rank, contrary to byelaws adopted by Lancaster City Council. Fined £265 and ordered to pay £150 costs and a £26 victim surcharge.

***Resolved:***

That the report be noted.

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Chairman

(The meeting ended at 4.07 p.m.)

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

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