

**LICENSING REGULATORY
COMMITTEE**

1.00 P.M.

1ST SEPTEMBER 2016

PRESENT: Councillors Colin Hartley (Chairman), Margaret Pattison (Vice-Chairman), Alan Biddulph (substitute for Sheila Denwood), Susie Charles, Mel Guilding, Tim Hamilton-Cox, Terrie Metcalfe and Robert Redfern

Apologies for Absence:

Councillors Sheila Denwood and Charlie Edwards

Officers in Attendance:

| | |
|---------------|-------------------------------|
| Luke Gorst | Solicitor |
| Wendy Peck | Licensing Manager |
| David Eglin | Licensing Officer |
| Marie Sharkey | Licensing Enforcement Officer |
| Tessa Mott | Democratic Support Officer |
| Jane Glenton | Democratic Support Officer |

19 MINUTES

The Minutes of the meeting held on 14th July 2016 were signed by the Chairman as a correct record.

20 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

21 DECLARATIONS OF INTEREST

There were no declarations of interest.

22 BROADFIELDS PARK CARAVAN SITE LICENCE REVIEW UPDATE

The Chairman reported that on 2nd June 2016, the Licensing Regulatory Committee had resolved:

“That the site licence conditions be varied to enable enforcement action to be taken, as follows:

- (1) To carry out a detailed survey to the reasonable satisfaction of the Licensing Authority of the site’s drainage system to assess its adequacy, suitability, effectiveness and weaknesses, and to make recommendations for permanent resolution of the blockage and surface flooding problems. All survey and drainage works must be carried out by professionally qualified contractors.*
- (2) To have and maintain in good working order a suitable and sufficient surface and foul water drainage system, which is capable of servicing all the caravans/mobile homes on site, and that the operator be required to provide a spare pump in the pump-house.*

- (3) *The surface and foul water drainage system must have adequate provision to protect against flooding and the loss of facilities that may reasonably be caused by flooding.*
- (4) *To have sufficient procedures and systems in place to ensure that any backed-up drainage effluent is removed immediately and in any event within 24 hours of notification of blockage.*
- (5) *To provide all residents with emergency contact details for the site manager and to ensure that the residents' emergency contact details are kept up-to-date.*
- (6) *To display on a public noticeboard on or near the site reception area the emergency contact details for the site manager.*
- (7) *To have a suitable and sufficient emergency response system in place, which ensures that residents' concerns are logged and responded to accordingly.*

The Chairman advised Members that he would ask Health and Housing Services to report back to the Committee on 1st September 2016."

The Chairman reported that, on 9th August 2016, he had been contacted by the Public Health Team Leader from Health and Housing Services, who had told him that the revised licence had been sent to the Broadfields Caravan Park owners, Britanniacrest. At the end of the 28-day appeal period, Britanniacrest had informed the Council that they had appealed. This had the effect of putting the new conditions on hold. The Council had subsequently received a formal appeal notification from the Tribunal.

From a conversation with the Public Health Team Leader, the Chairman had learnt that:

- The appellant (site owner) had said that they would be unavailable to attend a Tribunal until mid-September.
- A decision on the date of the hearing would be decided by the Tribunal Service (not Council officers). Officer experience was that the delay being requested was not unusual and was likely to be accepted by the Tribunal Service.
- Depending on the date of the hearing, it may not be possible to provide any more information for the date of the next Licensing Regulatory Committee meeting on 13th October 2016 and that it was likely to be reported to a subsequent meeting.
- Health and Housing Services had contacted Mr. Bamborough (the residents' representative who had spoken at the Committee meeting in June). He had been informed of the appeal and subsequent delay.
- Health and Housing Services had undertaken to keep the Chairman informed and to supply a report to the Committee at the earliest opportunity.

The Chairman reported that on Tuesday, 30th August 2016, he had received a further update, containing the Tribunal's directions to the appellant, issued by Judge Holbrook on 22nd August 2016. Taking these into account, the Chairman calculated that the process of complying with directions may not be completed until two months had elapsed. The Tribunal had not yet set a date for the hearing.

In light of the above, the Chairman had agreed that a formal report for the meeting of the Licensing Regulatory Committee on 1st September 2016 could be deferred.

Resolved:

That the oral report be noted.

23 FARES REPORT

The Committee received the report of the Licensing Manager to advise of a new public notice in the Lancaster Guardian showing amended details in connection with tariff 3 charges which, instead of reading £4.70 as previously advertised, should have read £4.90. The normal representation period would apply and the deadline was 12th September 2016.

It was reported that members of the trade had previously been balloted on the increases approved by the Licensing Regulatory Committee on 2nd June 2016 and had been informed that the increase in tariffs would be 10 pence. No objections had been raised to any of the tariffs during the previous notice period.

Resolved:

That the report be noted.

24 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.

25 EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE - ELLERAN HOBART (PAGES 6 - 9)

The Committee received the report of the Licensing Manager to enable Members to consider whether there was reasonable cause to suspend or revoke Mrs. Hobart's hackney carriage driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 25, in accordance with Section 100A(4) of the Local Government Act 1972.

Decision of the Committee:

That the matter be dealt with by way of a warning.

The meeting adjourned for 5 minutes.

26 EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE - MUHAMMAD TABARAK KARIM (PAGES 10 - 11)

The Committee received the report of the Licensing Manager to enable Members to consider whether there was reasonable cause to suspend or revoke Mr. Karim's hackney carriage driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 26, in accordance with Section 100A(4) of the Local Government Act 1972.

Decision of the Committee:

That no further action be taken in connection with Mr. Karim's hackney carriage driver's licence.

27 EXISTING HACKNEY CARRIAGE AND PRIVATE HIRE DUAL DRIVER'S LICENCE - JOHN BRADLEY TAYLOR (PAGES 12 - 14)

The Committee received the report of the Licensing Manager to enable Members to consider whether there was reasonable cause to suspend or revoke Mr. Taylor's hackney carriage and private hire dual driver's licence.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 27, in accordance with Section 100A(4) of the Local Government Act 1972.

Decision of the Committee:

That no further action be taken in connection with Mr. Taylor's hackney carriage and private hire driver's licence.

28 EXISTING HACKNEY CARRIAGE VEHICLE LICENCE - HV393 - PROPRIETOR: KEVIN DIXON (PAGES 15 - 16)

The Committee received the report of the Licensing Manager to enable Members to consider whether to suspend or revoke Mr. Dixon's hackney carriage vehicle licence or whether to take no further action.

Details of the individual case and the Chairman's summary of the decision are set out in Exempt Minute No. 28, in accordance with Section 100A(4) of the Local Government Act 1972.

Decision of the Committee:

That it be noted that Mr. Dixon has now complied with the requirement to register his wheelchair accessible vehicle on Coastal Taxis' system and had given assurances that all wheelchair accessible vehicles would be included on their system.

Chairman

(The meeting ended at 4.40 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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