

**LICENSING REGULATORY
COMMITTEE**

1.00 P.M.

8TH FEBRUARY 2018

PRESENT: Councillors Colin Hartley (Chairman), Terrie Metcalfe (Vice-Chairman), Mel Guilding, Tim Hamilton-Cox, Janice Hanson, Joan Jackson and Robert Redfern

Apologies for Absence:

Councillors Alan Biddulph and Susie Charles

Officers in Attendance:

Stephen Sylvester	Commercial Protection Manager
Jennifer Curtis	Principal Licensing Officer
Luke Gorst	Solicitor
Jane Glenton	Democratic Support Officer

The Chairman welcomed the Principal Licensing Officer to the meeting.

40 MINUTES

The Minutes of the meeting held on 23rd November 2017 were signed by the Chairman as a correct record.

41 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

42 DECLARATIONS OF INTEREST

There were no declarations of interest.

MATTERS FOR DECISION

43 APPLICATION FOR A HACKNEY CARRIAGE VEHICLE LICENCE - RAYMOND CROFT - PROCEDURE FOR THE ALLOCATION OF A HACKNEY CARRIAGE VEHICLE LICENCE

The Committee received the report of the Commercial Protection Manager to allow Members to consider the late application for renewal of a hackney carriage vehicle licence submitted by Mr. Raymond Croft and, if necessary, the reallocation of the hackney carriage plate.

Members were advised that an application for the renewal of a hackney carriage vehicle licence HV902 had been received from Mr. Croft on 5th January 2018. Unfortunately, the vehicle licence had expired on 2nd January 2018 and the application for renewal had not been accepted.

Case law indicated that applications for renewal after a vehicle licence had expired were possible, but there needed to be good reasons for any short delay (two to three days) or exceptional circumstances for any longer delay in applying following expiry.

It was reported that Mr. Croft had been a licensed driver with the Authority for over eleven years and had been the proprietor of HV902 since 27th July 2011. Mr. Croft had never let the vehicle licence expire in the past. He had told Licensing Services that he had not been aware that he was required to submit the renewal papers before the plate expired.

Members were advised of the options before them.

Following presentation of the Commercial Protection Manager's report, Mr. Croft was given the opportunity to question the Commercial Protection Manager on the report. Members of the Committee then had the opportunity to question the Commercial Protection Manager on his report.

In determining whether to renew Mr. Croft's hackney carriage vehicle licence or not, Members heard evidence from Mr. Croft, who advised that he had intended to get a new taxi, but had been unsuccessful. His vehicle had been in the garage for repairs and he had been unaware that the renewal papers should have been submitted before the plate expired.

Following Mr. Croft's representation, the Commercial Protection Manager had the opportunity to question Mr. Croft. Members of the Committee then had the opportunity to question Mr. Croft.

The parties then had the opportunity to sum up.

The Commercial Protection Manager, Principal Licensing Officer and Mr. Croft left the meeting room whilst the Committee made its decision in private.

It was proposed by Councillor Hamilton-Cox and seconded by Councillor Guilding:

"That Mr. Croft's hackney carriage vehicle licence be renewed."

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

Resolved:

That Mr. Croft's hackney carriage vehicle licence be renewed.

The Commercial Protection Manager, Principal Licensing Officer and Mr. Croft returned to the meeting room at this point.

Summary of the Decision:

The Committee gave careful consideration to the representations made by the Commercial Protection Manager and Mr. Croft.

Members accepted Mr. Croft's reasons for the short delay in submitting the application for renewal of his hackney carriage vehicle licence, and concluded that Mr. Croft's hackney carriage vehicle licence be renewed.

44 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 Metcalfe 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.

45 NOTIFICATION OF DECISION TAKEN UNDER THE URGENT BUSINESS PROCEDURE - EXISTING HACKNEY CARRIAGE DRIVER'S LICENCE - STEPHEN MICHAEL WILKINSON

The Committee received the report of the Democratic Services Manager to inform Members of a decision taken by the Chief Executive, in consultation with the Chairman of Licensing Regulatory Committee.

Decision of the Committee:

That the decision taken by the Chief Executive, in consultation with the Chairman of Licensing Regulatory Committee, in relation to the following matter, be noted:

That Mr. Wilkinson's hackney carriage driver's licence be revoked, and that the revocation of the driver's licence be with immediate effect in the interests of public safety.

Chairman

(The meeting ended at 1.30 p.m.)

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