



LICENSING COMMITTEE

BURNLEY TOWN HALL

Thursday, 7th June 2012

PRESENT

MEMBERS

Councillor Anthony Lambert, in the Chair.

Councillors Margaret Brindle, Janet Brown, Frank Cant, Saeed Chaudhary, John Fifield, Gareth Frayling, Mathew Isherwood, Arif Khan, Wajid Khan, Anne Kelly, Jennifer Knowles, Stephen Large, Andrew Newhouse and Ann Royle.

OFFICERS

Nick Aves	- Director of Resources
David Wilcock	- Head of People, Law and Regulation
Richard Townson	- Democratic and Legal Manager (Pendle Borough Council)
Karen Davies	Environmental Health and Licensing Manager
Saima Afzaal	Assistant Democracy Officer

1. [Minutes of the last meeting](#)

The Minutes of the last meeting held on 31st March 2012 were confirmed as a true record and signed by the Chair.

2. **Public Question Time**

Mr Charles Oaks attended the meeting and addressed the Committee under the Council's Right to Speak Policy on the following:-

1. To increase the age limit for Hackney from 12 to 15 years or allowing those vehicles that had been well maintained to have their Licence extended.

Mr Jamil Munir also attended the meeting and addressed the Committee under the Council's Right to Speak Policy on the following:-

Against the proposal in relation to the age limit of Hackney Carriage Vehicles. He opposed to lift the current 12 year Ban.

The Chair provided a response to Mr Charles Oaks and Mr Jamil Munir.

3. Appointment of Sub Committees

Saima Afzaal sought the approval of Licensing Committee for sub-delegation of its functions to Sub Committees regarding the Licensing Act 2003 and for the appointment of Licensing Committee Members to its Licensing Sub Committees, and for the continuation of the current hearing procedures to be used to carry out those functions.

She informed Members that the proposed allocation of Members to each of the two three-Member Sub Committees were based on a balance of the political party and experience of being a Member to the Licensing Committee as outlined in Appendix 1 to the report.

She stated that the continuation of the current system provided certainty of membership for the Sub Committees, and provided for a reserve fourth Member to be appointed on an ad hoc basis.

RESOLVED That the allocations of Licensing Members to the Sub Committees as outlined in Appendix 1 to the report be approved.

5. Exclusion of the Public

To consider the exclusion of the Public from the meeting before discussion takes place on the following items of business on the grounds that, in view of the nature of the business to be transacted, if the public were present there would be a disclosure to them of exempt information within the meaning of Part VA of the Local Government Act 1972.

Minute No
6, 7, 8, 9 and 11

Relevant Description in Schedule 12A
Relating to the financial or business affairs of other persons.

6. Report on Convictions of Private Hire Driver – MAK

Karen Davies reported on the convictions recorded against MAK, the current holder of a Private Hire Driver's Licence No PD 108.

RESOLVED

- (1) That in respect of the suspension of MAK, the current holder of a Private Hire Driver's Licence that expired on 18th May no further action be taken; and
- (2) That in respect of the application from MAK for the renewal of his Private Hire Driver's Licence that expired on 18th May be granted.

7. Report on Convictions of Private Hire Driver – AS

Karen Davies reported that AS, the current holder of a private Hire Driver's Licence No PD 327 had surrendered his licence to the Licensing

Team and therefore no further decision was required.

8. Report on Convictions of Private Hire Driver – FH

Karen Davies reported on the convictions recorded against FH, the current holder of a Private Hire Driver's Licence No PD 441.

Mr CO was present at the meeting and made representations on behalf of FH.

RESOLVED

That having regard to the convictions recorded against FH, the current holder of a Private Hire Driver's Licence, the Private Hire Driver's Licence be revoked on the grounds set out in the Section 61(1) (b) of the Local Government (Miscellaneous Provisions) Act 1976.

9. Report on Conviction of Private Hire Driver – MMI

Karen Davies reported on the conviction recorded against MMI, the current holder of a private Hire Driver's Licence No PD 506.

Mr SH was present at the meeting and made representations on behalf of MMI.

RESOLVED

That no further action be taken against MMI, the current holder of a Private Hire Driver's Licence.

10. Waving of Council Procedure Rule

RESOLVED

That approval be given to the waving of Council Procedure Rule 8.1 to allow the meeting to continue beyond 9.30pm in order to complete the remaining item of business.

11. Report on Conviction of Private Hire Driver – SH

Karen Davies reported on the conviction recorded against SH, the current holder of a Private Hire Driver's Licence No PD 338.

Mr CO and FA were present at the meeting and made representations on behalf of SH.

RESOLVED

That having regard to the conviction recorded against SH, the current holder of a Private Hire Driver's Licence, the Private Hire Driver's Licence be revoked on the grounds set out in the Section 61 (1) (b) of the Local Government (Miscellaneous Provisions) Act 1976