



# LICENSING COMMITTEE

BURNLEY TOWN HALL

27/10/2016

## PRESENT

## MEMBERS

Councillor Ann Royle, in the Chair.

Councillors Howard Baker, Margaret Brindle, Frank Cant, Ida Carmichael, Saeed Chaudhary, Gary Frayling, Anne Kelly, Mohammed Ishtiaq, Sobia Malik, Liz Monk, Paul Reynolds, and Christine White

## OFFICERS

Karen Davies	- Head of Environmental Health & Licensing
	- Officer
Emma Barker	- Principal Legal Officer
Imelda Grady	Democracy Officer

### 10. Apologies

Apologies for absence were received from Councillors Bill Brindle and Tom Porter.

### 11. Minutes of the last meeting

The Minutes of the last meeting held on 18<sup>th</sup> August 2016 were confirmed as a correct record and signed by the Chair.

### 12. Additional Items of Business

In accordance with the provisions in Section 100(B) (4)(b) of the Local Government Act 1972 the Chair agreed that the following item should be considered as item 9 on the agenda so that the Licensing Committee could make recommendations to the next Full Council meeting.

Item: Amendment to Hackney Carriage Byelaws

### 13.. Taxi Licence Fees 2017

Members considered the level of taxi licence fees to be effective from January 2017.

The Environmental Health and Licensing Manager explained that

legislation permitted the Council to recover the cost of providing the taxi licence service through fees charged for driver, vehicle and operators licences but that the fees could not generate a profit for the Council.

The review of fees this year showed that they were still in line with expenditure and therefore no variation to fees for 2017 were proposed.

She also explained that the taxi reserve generated by the private hire drivers fees would continue to be used to provide a discount per private hire driver until December 2018 when the reserve will have been fully refunded.

**RESOLVED** That the taxi licence fees for 2017 be maintained at the current level for the following licences:  
Taxi Hire Driver; Hackney Carriage Driver; Private Hire Vehicle; Hackney Carriage Vehicle; and Private Hire Operator.

**14. Amendment to Common Policy – Taxi and Private Hire Driver Convictions and Other Information**

Members considered an amendment to the policy guidelines for when officers were determining whether new applicants or current holders of hackney and private hire drivers licences were fit and proper persons.

The Environmental Health and Licensing Manager explained that the Council's scheme of delegation required that in all cases the Council's guidelines for determining applications must be adhered to. The current policy guidelines dealt only with convictions, however there was a duty for the Council to take into account any complaints, breaches of licensing conditions or any intelligence made by the Police, Licensed Operators or any other agency.

The proposed changes were attached at appendix A to the report and would ensure that all relevant matters were considered when Officers were determining the fitness and propriety of an applicant/licence holder. The proposed name of the amended policy was 'Guidelines on the relevance of previous convictions and other information'.

**RESOLVED** That approval be given to the new policy guidelines ' Guidelines on the Relevance of Previous Convictions and Other Information' with immediate effect.

**15. Amendment to Hackney Carriage Byelaws**

Members consider proposed amendments to the Hackney Carriage Byelaws to ensure that they accurately reflected the requirements of the Council with regard to driver training, behaviour and customer care.

The Principal Legal Officer explained that Burnley's byelaws had not been

updated since 1978 and no longer reflected modern day requirements for the control of hackney carriage drivers. The changes were necessary to ensure that hackney carriage drivers conditions reflected those of private hire driver conditions

**RESOLVED That Full Council be recommended to approve the proposed changes to the Burnley Hackney Carriage Byelaws as detailed in Appendix A to the report**