

LICENSING COMMITTEE
THURSDAY 16TH FEBRUARY 2010

PRESENT – Councillor Sajid Ali (in the Chair), Councillors Davies, Hussain I, Khan Z, Pearson, Rehman, Smith Ji, Tapp Williams and Wright.

APOLOGIES – Apologies were received from Councillors Entwistle and Graham.

RESOLUTIONS

38 Minutes of the Meeting held on 4th February 2010

RESOLVED – That the minutes of the meeting of the Committee held on 4th February 2010 be confirmed and signed as a correct record.

Matters arising

Item 25 - (Review of Hackney Carriage Vehicle Standards), Councillor John Wright referred to the meeting of the full Licensing Committee on 4th February 2010, when he had requested that further information be made available to the Committee in relation to:

- 1) If the Council was expecting to increase the Hackney Carriage fleet.
- 2) A forecast for the next three years, in relation to facts and figures relating to the new shopping centre.

Councillor Wright reiterated this request.

It was reported that at the present time, the figures from Town Centre Officers had not been received.

39 Minutes of the meetings of the Licensing Act 2003 Sub Committee

RESOLVED – That the minutes of the meeting of the Licensing Act 2003 Sub Committee held on 19th January 2010, be confirmed by Members present who had served at that meeting and were signed as a correct record.

40 Declarations of interest

There were no declarations of interest.

41 Review of Hackney Carriage Vehicle Standards

A report was submitted to inform Members of a review of Hackney Carriage Vehicle Standards.

Committee members withdrew from the meeting room briefly, to inspect two vehicles to be considered for recommendation by the Committee.

The report requested that Members consider licensing the Peugeot E7 series 11 as a hackney carriage vehicle (in light of a High Court judgement that had implications on the review that was undertaken on Hackney Carriage Vehicle standards in February and March 2009).

Members were also requested to consider and an additional request from the Hackney Carriage trade, in relation to the two tier system that was in place with the current Hackney Carriage Policy.

It was recommended that Members note the report, and forward recommendations to the Executive Member for Regeneration and Environment, for a decision for any proposed changes, to the current standards, as per the Executive Member decision of 27th March 2009. Background information in relation to the request and recommendations were outlined in the report.

Andrew Overton from LTI submitted a presentation to the committee, in support of the traditional; TX hackney carriage model. Mr Parris from Allied Vehicles spoke to the Committee and distributed information packs, in support of the Peugeot E7 model.

A petition was submitted to the Committee, containing 17 signatures from the Hackney Association and Hackney Carriage Drivers licensed in Blackburn with Darwen, requesting that Blackburn with Darwen Council licence the Euro Vehicle as a Hackney Carriage vehicle within Blackburn with Darwen, under the same policy as existing Hackney Carriages.

The Committee was also informed that the Council's Public Protection Section had received correspondence from the Equality and Human Rights Commission in relation to Taxi Licensing requirement and compliance with the Disability Equality Duty.

In accordance with the procedure for public speaking, Mr Qasam questioned the Committee regarding the review. Questions were responded to by Donna Riding, the Council's Principal Licensing Officer and Chris Allen, the Council's Head of Public Protection and Sajeda Khalifa from the Council's Legal Services Department.

A discussion took place around the issue in which Members of the Committee asked questions of interested parties and the Council's Licensing Officers and Legal Officer.

RESOLVED -

1. That the report be noted
2. That a decision on whether to recommend the Peugeot E7 vehicle for licensing be deferred until an equality impact assessment has been carried out in Blackburn with Darwen.
3. That a single tier system of conditions, in relation to Hackney Carriage licences, and the 3 plates still currently in use on post 2005 conditions to be brought in line with the remainder.
4. That the 7 remaining licences be suspended for 5 years, and reviewed after 3 years.
5. That the existing and replacement vehicle age limit be 15 years.
6. That following the decision of the Executive Member for Regeneration and the Environment, and when the call in date has expired, that all Hackney Carriage licence holders/private hire drivers licence holders, operators and associations be informed.

42 Exclusion of the Press and Public

It was resolved that the press and public be excluded from the meeting during consideration of the following items by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

43 Minutes of the General Licensing Sub Committees

RESOLVED – That the minutes of the meetings of the General Licensing Sub Committees held on 2nd and 10th February 2010 were confirmed by Members present who had served at those meetings and were signed as a correct record.

Signed.....
Chair of the meeting at which the Minutes were signed

Date.....