

**LICENSING AND ENVIRONMENTAL REGULATION  
COMMITTEE**

MEETING, 5<sup>th</sup> MARCH, 2013

Present – Councillors Jones (Chairman), Allen (as deputy for Councillor Wild), D. Burrows, Cunliffe, M. Connell, Evans, Greenhalgh, Hall (as deputy for Councillor Mrs. Fairclough), Haslam, Kellett, McKeon, Peacock, Shaw, Sherrington (as deputy for Councillor Kay) and Mrs. Swarbrick.

Apologies for absence were received from Councillors Mrs. Fairclough, Kay and Wild.

Councillor Jones in the Chair.

**71. MINUTES OF THE LAST MEETING**

The minutes of the proceedings of the meeting of the Committee held on 25<sup>th</sup> February, 2013 were submitted and signed as a correct record.

**72. MINUTES OF THE LICENSING-SUB COMMITTEE**

The minutes of the proceedings of the meeting of the Licensing Sub-Committee held on 21st February, 2013 were submitted and signed as a correct record.

**73. APPLICATION FOR A PERMIT FOR AMUSEMENT  
WITH PRIZES (AWP) GAMING MACHINES**

The Director of Environmental Services submitted a report which set out details of an application for a permit for Amusement with Prizes (AWP) gaming machines in a public house.

By way of background information, the report explained that the Licensing Team had received an application from DG Bar, 109-111 Bradshawgate, Bolton. The application was submitted by Red Rose Leisure on behalf of the holder of the premises licence.

The application was for a new permit and requested permission for four AWP machines.

The Committee was advised that no complaints concerning the presence of or operation of the existing machines had been received.

The permit duration was indefinite as it was linked to the Licensing Act, 2003.

Resolved – That the application for a new Gaming Machine Permit in relation to the DG Bar, 109-111 Bradshawgate, Bolton be granted, as set out in the report.

#### **74. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE VEHICLE LICENCE**

The Director of Environmental Services submitted a report which set out details of an application to licence a hackney carriage (reference LER/06/13) where the previous licence had lapsed.

The vehicle, which was a London style LTI TX4 had been licensed until 22<sup>nd</sup> January, 2013 and a renewal application had not been sought in error.

Resolved – That exceptional circumstances existed in this case which justified the grant of the licence and therefore the application for a Hackney Carriage Vehicle Licence be granted in respect of the application referenced LER/06/13.

#### **75. EXCLUSION OF PRESS AND PUBLIC**

Resolved – That, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 (financial and business affairs) of Part 1 of Schedule 12A to the Act; and that it be deemed that, in all the

circumstances of the case, the public interest in its exemption outweighs the public interest in its disclosure.

#### **76. APPLICATION TO EXTEND A HACKNEY CARRIAGE VEHICLE LICENCE**

The Director of Environmental Services submitted a report which asked the Committee to give consideration to an application which had been received which sought approval for a hackney carriage vehicle to be licensed beyond the permitted 15 year period for a further two years.

Members were reminded that in April, 2012 the Committee had agreed to a further one year extension of the vehicle licence.

The vehicle was first registered in August, 1997.

The applicant attended the meeting with his representative.

Resolved – That, in the circumstances of the case and in view of the condition of the vehicle, the Committee is prepared for the policy regarding the maximum 15 year age not to be applied for a period of one year in relation to application LER/05/13.

#### **77. MISCONDUCT BY LICENSED PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS**

The Director of Environmental Services submitted a report which provided details of five drivers who had been convicted of offences during the period of their licences.

The drivers attended the meeting in relation to reports LER/07/13(b), LER/07/13(d) and LER/07/13 (e).

Resolved – (i) That in respect of report numbered LER/07/13(a), consideration of this matter be deferred until a future meeting of this Committee.

(ii) That in respect of report numbered LER/07/13(b) no action be taken in respect of the licence to drive a private hire vehicle.

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(iii) That in respect of report numbered LER/07/13(c) the licence to drive a private hire vehicle be suspended until the driver appears before this Committee on the basis that the Committee are not satisfied that he is a fit and proper person to hold a licence at this time.

In coming to its decision the Committee is mindful of its duty to protect the public and the offence of violence from November, 2012 was classed as serious under the Council's Policy.

(iv) That in respect of report numbered LER/07/13(d) no action be taken in respect of the licence to drive a private hire vehicle.

(v) That in respect of report numbered LER/07/13(e) no further action be taken in respect of his licence to drive a private hire vehicle.

(The meeting started at 3.00pm and finished at 5.00pm)