

**MINUTES OF A MEETING OF THE  
TAXI AND OTHER LICENSING COMMITTEE  
HELD AT THE TOWN HALL, NELSON  
ON 11<sup>th</sup> FEBRUARY, 2016**

PRESENT -

*Councillor N. Butterworth (Chairman – in the chair)*

**Councillors**

*M. Arshad  
D. Clegg  
J. Cooney  
G. Roach  
K. Shore  
J. Starkie (substitute for C. Jowett)*

*Also in attendance*

*Councillor N. Ahmed  
P. McCormick                      Alderman*

*Officers in attendance*

<i>Jackie Allen</i>	<i>Taxi Licensing Manager</i>
<i>Howard Culshaw</i>	<i>Solicitor</i>
<i>Sarah Waterworth</i>	<i>Committee Administrator</i>

*(Apologies were received from Councillors M. Iqbal and C. Jowett)*

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The following persons attended the meeting and spoke on the item indicated:-

Mr. Akram	Age Limit	Minute No. 37
Mr. S. Ahmed		

**35.    DECLARATION OF INTERESTS**

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests.

**36.    PUBLIC QUESTION TIME**

1.        Mr Akram complained about the number of large potholes that were on the roads and that they were dangerous.

The Chairman explained that Pendle Council was not the highway authority it was Lancashire County Council and that they had set up a link on their website so that people could report potholes. [www.highways@lancashire.gov.uk](mailto:www.highways@lancashire.gov.uk)

2.        Mr Ahmed asked what progress was there regarding being able to make application and pay for licences online.

The Taxi Licensing Manager explained that a new system was being put in place that would in the future be used for online applications and payments etc.

**37.**

**MINUTES**

**RESOLVED**

That the minutes of the proceedings of the Taxi and Other Licensing meeting held on 11<sup>th</sup> and 23<sup>rd</sup> November, 2015 be approved as a correct record and signed by the chairman.

**38.**

**AGE LIMIT**

Councillor Cooney explained that something needed to be done with regards the number of vehicles failing spot checks. Talks had taken place with the trade and it was felt that there needed to be something put in place that would marry up public safety and the needs of the trade and also be an incentive for drivers to take more care of their vehicles, thus reducing the failure rate.

A proposal to the change in Policy for the Age Limit of Hackney Carriage and Private Hire Vehicles was circulated to at the meeting.

**RECOMMENDATION**

That the Executive be requested to amend the policy regarding the age limit of hackney carriage vehicles and private vehicles as follows:-

- (1) Vehicles are not to be more than seven years old when first licensed and no more than nine years old on renewal or if manufactured or adapted to allow for wheelchair accessibility no more than seven years old when first licensed and no more than twelve years on renewal.
- (2)
  - i. the vehicle licence will be extended over the 9 and 12 year age limit if during the licensing history the vehicle had not reverted to a four month test (vehicles go on four month tests if it fails on any item under steering/ suspension, tyres and braking).
  - ii. any vehicles over 9/12 years of age will not have their licence extended if the vehicle fails on any faults that would result in a VOSA MOT failure.
  - iii. any vehicle over 9/12 years of age failing on the Council's vehicle standards will not automatically be taken off the road. The proprietor will be given the opportunity to repair the vehicle to the standard required in accordance with the vehicle standards.
- (3). Any vehicles failing a spot check, resulting in the vehicles licence being suspended will not have the age limit extended over the 9/12 years limit.
- (4) Continue to not allow pre-checks on licensed vehicles within 14 days of the licence expiring at any of the Council's authorised testing stations.
- (5) Subject to the above:-
  - i. any vehicles on appeal will be allowed to be licensed,

- ii. any vehicle currently issued with a licence to their 9/12 years age limit with remaining months on their certificate of compliance will be continued until the expiry date of the certificate of compliance.

(6) The policy will be reviewed by the Taxi and Other Licensing Committee after 12 months.

### **REASON**

***An incentive for drivers to take more care of their vehicles, thus reducing the failure rate.***

### **39. RESULTS OF A SPOT CHECK**

The Planning, Building Control and Licensing Services Manager reported, for information that a joint spot check on licenced vehicles had been carried out during the day of Friday 11<sup>th</sup> December 2015 at Rig Street Motors, Nelson with the Police and Vehicle Operator Services Agency (VOSA). Thirteen vehicles were tested in total with ten taken off the road for mechanical faults. Vehicles which were suspended would revert to a four month licence and test.

### **40. PENALTY POINTS SCHEME**

The Planning, Building Control and Licensing Services Manager submitted for information a report regarding penalty points which had been imposed since the last meeting.

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

#### **RESOLVED**

That in pursuance of the power contained in Section 100 (A) (4) of the Local Government Act, 1972, as amended, the public and press be excluded from the meeting during consideration of the next item of business on the grounds that if a member of the public and press were present during consideration of the item, there would be disclosure to them of exempt information relating to the financial or business affairs of a particular person.

### **42. INTERVIEWS**

#### **(1) Report of TM**

The Planning, Building Control and Licensing Services Manager submitted a report regarding TM.

#### **RESOLVED**

That TM's application for a hackney carriage drivers licence be refused.

#### **(2) Report of US**

The Planning, Building Control and Licensing Services Manager submitted a report regarding US.

#### **RESOLVED**

That no further action be taken in respect of US's operator's licence and 14 penalty points be added to US's drivers licence.

**(3) Report of AU**

The Planning, Building Control and Licensing Services Manager submitted a report regarding AU.

**RESOLVED**

That no action be taken.

**(4) Report of TM**

The Planning, Building Control and Licensing Services Manager submitted a report regarding TM

**RESOLVED**

That no action be taken at present but should TM be found guilty of the alleged offence he be requested to come back before the members of the Committee.

**(5) Report of AMC**

The Planning, Building Control and Licensing Services Manager submitted a report regarding AMC

**RESOLVED**

That 9 penalty points be added to AMC's private hire drivers licence.

**(6) Report of MY**

The Planning, Building Control and Licensing Services Manager submitted a report regarding MY

**RESOLVED**

That the application for a private hire drivers licence be granted for a temporary 6 month period and should no further issues arise the licence will be renewed for a further 6 months.

**(7) Report of MSA**

The Planning, Building Control and Licensing Services Manager submitted a report regarding MSA

**RESOLVED**

That no action be taken at present but should MSA be found guilty of the alleged offence he be requested to come back before the members of the Committee.

**43. LOCAL GOVERNMENT ACT, 1972**

In accordance with the provisions of Section 100 (B)(4) of the Local Government Act, 1972, as amended, the Chairman agreed that the following item should be considered as a matter of urgency, the ground being in the interest of public safety.

**44. SOUTHFIELD STREET GARAGE**

The Taxi Licensing Manger reported that there had been a number of serious issues with regards the testing of vehicles at Southfield Street Garage.

**RESOLVED**

That the contract with Southfield Street Garage not be renewed and existing arrangements be withdrawn with immediate effect.

**REASON**

*In the interest of public safety*

Chairman: \_\_\_\_\_