



Ordinary Committee

AGENDA

LICENSING, ENVIRONMENT AND SAFETY COMMITTEE

Committee Room 2
Town Hall
Stockport

Meeting: Wednesday, 7 July 2010
Tea: 5.00 pm (Stopford House Restaurant)
Business: 6.00 pm

1. MINUTES

To approve as a correct record and sign the minutes of the meeting held on 9 June 2010.
(Enclosed)

2. EXCLUSION OF THE PUBLIC AND PUBLIC INTEREST TEST

To consider whether it is in the public interest to exclude the public during the consideration of items (if any) on the agenda which are marked "not for publication" by virtue of the categories set out in the Local Government Act 1972 (as amended).

3. DECLARATIONS OF INTEREST

Councillors and officers to declare any interest which they may have in any of the items on the agenda for this meeting.

4. URGENT DECISIONS

To report any urgent action taken under the Constitution since the last meeting of the Committee.

5. PUBLIC QUESTION TIME

Members of the public are invited to put questions to the Chair and members of the Committee on any matters within the powers and duties of the Committee, subject to the exclusions set out in the Code of Practice. (Questions must be submitted prior to the commencement of the meeting on the cards provided. These are available at the meeting and at local libraries and information centres)

Items not for publication

8. CASE NO. P1379

To consider a report of the Service Director (Environment).

(To be tabled)

Officer contact: Norman Elthorpe, 0161 474 4244, norman.elthorpe@stockport.gov.uk

9. CASE NO. P1380

To consider a report of the Service Director (Environment). (To be tabled)

Officer contact: Norman Elthorpe, 0161 474 4244, norman.elthorpe@stockport.gov.uk

10. CASE NO. P1381

To consider a report of the Service Director (Environment). (To be tabled)

Officer contact: Norman Elthorpe, 0161 474 4244, norman.elthorpe@stockport.gov.uk

11. CASE NO. P1382

To consider a report of the Service Director (Environment). (To be tabled)

Officer contact: Norman Elthorpe, 0161 474 4244, norman.elthorpe@stockport.gov.uk

12. CASE NO. P1383

To consider a report of the Service Director (Environment). (To be tabled)

Officer contact: Norman Elthorpe, 0161 474 4244, norman.elthorpe@stockport.gov.uk

13. CASE NO. P1384

To consider a report of the Service Director (Environment). (To be tabled)

Officer contact: Norman Elthorpe, 0161 474 4244, norman.elthorpe@stockport.gov.uk

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A free interpreting service is available if you need help with this information. Please telephone Stockport Interpreting Unit on 0161 477 9000. Email: eds.admin@stockport.gov.uk

如果你需要他人為你解釋這份資料的內容，我們可以提供免費的傳譯服務，請致電 0161 477 9000 史托波特傳譯部。

W przypadku gdybyś potrzebował pomocy odnośnie tej informacji, dostępne są usługi tłumaczeniowe. Prosimy dzwonić do Interpreting Unit pod numer 0161 477 9000.

যদি এই খবরগুলি সম্পর্কে আপনার কোন সাহায্য দরকার হয় তবে বিনা খরচে আপনার জন্য দোভাষীর ব্যবস্থা করা হতে পারে। মেহেরবানী করে স্টকপোর্ট ইন্টারপ্রিটিং ইউনিটে ফোন করুন টেলিফোন নম্বর, 0161 477 9000.

اگر آپ کو ان معلومات کے بارے میں مدد کی ضرورت ہے تو مفت ترجمانی کی سروس دستیاب ہے۔ براہ مہربانی انٹرپرائٹنگ یونٹ کو 0161 477 9000 پر فون کریں۔

خدمات ترجمہ رایگان این اطلاعات در صورت نیاز موجود میباشد. لطفاً با شماره تلفن 0161 477 9000 با واحد ترجمہ (اینترپرائٹنگ یونٹ) ما تماس بگیرید.

تنوفر خدمة ترجمة شفوية اذا تطلبت مساعدة في فهم هذا المعلومات. نرجو الاتصال اربن رينيول على رقم الهاتف: 0161 477 9000

LICENSING, ENVIRONMENT AND SAFETY COMMITTEE

Meeting: 9 June 2010
At: 6.00 pm

PRESENT

Councillor Chris Gordon (Chair) in the chair; Councillor Stuart Corris (Vice-Chair); Councillors Stella Humphries, Sylvia Humphreys, Pam King, Wendy Meikle, Wendy Orrell, Andrew Verdeille and David Wilson.

1. MINUTES

The minutes (copies of which had been circulated) of the meeting held on 14 April 2010 were approved as a correct record and signed by the Chair.

2. EXCLUSION OF THE PUBLIC AND THE PUBLIC INTEREST TEST

RESOLVED – That the public be excluded from the meeting during consideration of items 8, 9, 10, 11, 12, 13 and 14 to prevent the disclosure of information relating to an individual. It would not, on balance, be in the public interest to disclose this information because disclosure of the personal information would not be fair to the applicants and would breach their Data Protection rights.

3. DECLARATIONS OF INTEREST

Councillors and officers were invited to declare any interests that they had in any of the items on the agenda for this meeting.

The following interest was declared:-

Personal and prejudicial interest

<u>Councillor</u>	<u>Interest</u>
Sylvia Humphreys	Agenda Item 11 'Case No. P1375' as she lived in close proximity to the applicant (see Minute 12 below). Councillor Humphreys left the meeting and did not take part in the discussion or vote on this item.

4. URGENT DECISIONS

A representative of the Service Director (Environment) reported that at the meeting of the Committee on 14 April 2010, the Committee suspended a driver's licence under the Road Safety Act 2006 on the ground of public safety until such a time that the outcome of police investigations into accusations of a serious criminal offence were known. The Committee had authorised the Corporate Director, Communities, Regeneration and Environment, in consultation with the Chair, to determine whether or not the driver's licence should be reinstated upon such notification.

The representative of the Service Director (Environment) reported that the police had

now ceased its investigation and that no charges would be brought against the driver. The Corporate Director, Communities, Regeneration and Environment, had therefore, in consultation with the Chair, reinstated the driver's licence.

RESOLVED – That the action be noted.

5. PUBLIC QUESTION TIME

No public questions were submitted.

6. DISTRICT CENTRES – STREET TRADING CONSENT

A representative of the Service Director (Regeneration) submitted a report (copies of which had been circulated) detailing the responses to the Council's intention to change the status of District Centres in Stockport from the current status as Prohibited Streets to Consent Streets for Street Trading.

RESOLVED – (1) That the response to the initial notice of intention to change the status of District Centres in Stockport be noted.

(2) That, effective from 19 July 2010, the status of the streets and areas comprising Cheadle, Edgeley, Hazel Grove, Reddish and Romiley District Centres, Stockport be changed from their current status as Prohibited Streets to Consent Streets for street trading under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, including all roads, footways and other areas adjacent to the streets identified in the plans and descriptions at Appendix A to the report.

(3) That the Corporate Director, Communities, Regeneration and Environment be authorised to issue the necessary notice required under the Local Government (Miscellaneous Provisions) Act 1982.

7. REPORT FOR MEMBERS TO CONSIDER THE CRITERIA FOR THE ALLOCATION OF NEW HACKNEY CARRIAGE LICENCES

A representative of the Service Director (Environment) submitted a report (copies of which had been circulated) detailing proposals for a criteria for the allocation of new 'taxi' licences.

The representative of the Service Director (Environment) advised the Committee that he would like to amend the report to delete the recommendation detailed at 3.2. The Committee consented to this request.

It was then

RESOLVED – (1) That the Service Director (Environment) undertake a consultation on the proposed criteria which can include:

- (a) A current Stockport Hackney driver of a minimum of three years experience.
- (b) Never having owned a plate previously in Stockport.
- (c) Prepared to provide a vehicle which meets Euro4 emission standards.

(2) That, subject to the consideration of comments received during the consultation on the policy, the Committee consider setting formal criteria for the allocation of the new hackney carriage plates

Items not for publication

8. CASE NO. P1372

A representative of the Service Director (Environment) submitted a report (copies of which were circulated) requesting the Committee to consider the suitability of the applicant to be licensed as a private hire car driver following a conviction for an offence being disclosed on a CRB check.

The Committee interviewed the applicant in relation to this matter.

RESOLVED – That the application be granted.

9. CASE NO. P1378

A representative of the Service Director (Environment) submitted a report (copies of which were circulated) requesting the Committee to consider the suitability of the applicant to be licensed as a private hire car driver following a conviction for an offence being disclosed on a CRB check.

The Committee was also advised that the Chief Officer of Greater Manchester Police had disclosed additional information in relation the applicant.

The Committee interviewed the applicant in relation to these matters.

RESOLVED – That the application be granted.

10. CASE NO. P1374

A representative of the Service Director (Public Protection) submitted a report (copies of which were circulated) requesting the Committee to consider the suitability of the driver to continue be licensed as a private hire car driver following his failure to disclose a conviction for an offence.

The Committee interviewed the driver in relation to this matter.

RESOLVED – That in the light of the driver's failure to disclose a conviction for an offence the driver's licence be suspended for a one week period.

11. CASE NO. P1373

A representative of the Service Director (Public Protection) submitted a report (copies of which were circulated) requesting the Committee to consider the suitability of the driver to continue to be licensed as a private hire car driver following his conviction for an offence of plying for hire.

The Committee interviewed the driver in relation to this matter.

RESOLVED – That in the light of the driver's conviction of plying for hire in contravention of the conditions of licence, the driver's licence be suspended for a two week period.

12. CASE NO. P1375

A representative of the Service Director (Public Protection) submitted a report (copies of which were circulated) requesting the Committee to consider the suitability of the applicant to be licensed as a private hire car driver following a conviction for a number of offences being disclosed on a CRB check.

The Committee interviewed the applicant in relation to these matters.

RESOLVED – That, notwithstanding the number of convictions recorded on the driver's CRB record, including one involving violent conduct, the Committee considered that the mitigation offered by the applicant, namely that there were exceptional circumstances which lead to the violent incident, and was such that the Committee considered the applicant was a fit and proper person to licensed as a hire car driver and should be granted a licence for a probationary six month period.

13. CASE NO. P1377

A representative of the Service Director (Public Protection) submitted a report (copies of which were circulated) requesting the Committee to consider the suitability of the applicant to be licensed as a private hire car driver following a conviction for a number of offences being disclosed on a CRB check.

The Committee interviewed the applicant in relation to these matters.

RESOLVED – That the application be granted.

14. CASE NO. P1376

A representative of the Service Director (Public Protection) submitted a report (copies of which were circulated) requesting the Committee to consider the suitability of the applicant to be licensed as a private hire car driver following a conviction for a number of offences being disclosed on a CRB check.

The Committee interviewed the applicant in relation to these matters.

RESOLVED – That, notwithstanding the applicant's previous and recent criminal convictions, having heard all the evidence presented by the applicant, the Committee was satisfied that the applicant had benefited from the programme of education that he had undertaken such that he was considered a fit and proper person to be licensed as a hire car driver and should be granted a licence for a probationary six month period.

The meeting closed at 8.24 pm.