

BOROUGH OF BARROW-IN-FURNESS

LICENSING COMMITTEE

Meeting, 11th March, 2010
at 2.00 p.m.

A G E N D A

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

3. **Admission of Public and Press**

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. Disclosure of Interests.

A Member with a personal interest in a matter to be considered at this meeting must either before the matter is discussed or when the interest becomes apparent disclose

1. ***The existence of that interest to the meeting.***
2. ***The nature of the interest.***
3. ***Decide whether they have a prejudicial interest.***

A note on declaring interests at meetings, which incorporates certain other aspects of the Code of Conduct and a pro-forma for completion where interests are disclosed accompanies the agenda and reports for this meeting.

5. Apologies for Absence/Attendance of Substitute Members.
6. To confirm the Minutes of the meeting held on 28th January, 2010 (copies attached).

Chief Environmental Health Officers' Reports

FOR DECISION

- (D) 1. Application for Street Collection Permit – Variation Policy

RECOMMENDED PART TWO

- (D) 2. Application for Hackney Carriage/Private Hire Vehicle Drivers Licence.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12 A OF THE LOCAL GOVERNMENT ACT, 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

- (D) 3. Hackney Carriage Driver

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12 A OF THE LOCAL GOVERNMENT ACT, 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

- (D) 4. Application for Hackney Carriage/Private Hire Vehicle Drivers Licence.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12 A OF THE LOCAL GOVERNMENT ACT, 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

- (D) 5. Application for Hackney Carriage/Private Hire Vehicle Drivers Licence.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 2 & 7 OF PART ONE OF SCHEDULE 12 A OF THE LOCAL GOVERNMENT ACT, 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

Membership of Committee

Councillors

D. Roberts (Chairman)
Unwin (Vice Chairman)
Callister
English
Garnett
R Hamezeian
Irwin
James
Millar
Murray
Solloway
Stephenson

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BOROUGH OF BARROW-IN-FURNESS

LICENSING COMMITTEE

Meeting: 28th January, 2010
at 2.00 p.m.

PRESENT:- Councillors D. Roberts (Chairman), Callister, English, Husband, Irwin, James, McEwan, Millar, Solloway and Stephenson.

51 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act, 1972 the public and press be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 (Minute No. 55) and Paragraphs 2 and 7 (Minute Nos. 56, 57, 58, 59 and 60) of Part One of Schedule 12A of the said Act.

52 – Disclosures of Interest

Councillor English declared a personal and prejudicial interest in Agenda Item 2 – Application for Private Hire Vehicle Driver's Licence (Minute No. 56), as he had carried out work for the applicant in the past.

Councillor Irwin declared a personal interest in Agenda Item 5 – Application for Hackney Carriage/Private Hire Vehicle Driver's Licence (Minute No. 59), as the applicant was known to her.

Councillor James declared a personal and prejudicial interest in Agenda Item 1 – South Lakes Wild Animal Park – Zoo Licensing Act 1981 – Periodical Inspection (Minute No. 55), as she is a seasonal ticket holder.

Councillor Millar declared a personal interest in Agenda Item 1 – South Lakes Wild Animal Park – Zoo Licensing Act 1981 – Periodical Inspection (Minute No. 55), as the family is known to him.

53 – Apologies for Absence/Attendance of Substitute Members

Apologies for absence were received from Councillors Unwin (Vice-Chairman), Garnett, R. Hamezeian and Murray.

Councillors Husband and McEwan had attended as substitutes for Councillor Garnett and R. Hamezeian respectively.

54 – Minutes

The Minutes of the meeting held on 3rd December, 2009 were taken as read and confirmed and the Minutes of the Licensing Sub-Committee held on 8th December, 2009 had been submitted for Members' information and noted.

55 – South Lakes Wild Animal Park – Zoo Licensing Act 1981 – Periodical Inspection

The Chief Environmental Health Officer submitted a report detailing the findings of a Periodical Inspection of South Lakes Wild Animal Park carried out under the provisions of the Zoo Licensing Act 1981. The inspection report made recommendations for modifications to the Zoo Licence.

A full periodical inspection, as required under provisions of the Zoo Licensing Act 1981, had been carried out at South Lakes Wild Animal Park on 22nd November, 2009.

The inspection had been carried out by a team consisting of Mr N. Jackson and Mr A. Greenwood, both DEFRA appointed inspectors, Mr M. Fielding, a Veterinary Surgeon and Zoo Inspector acting on behalf of the Council and two Officers of the Council.

Mr Gill had been consulted on the report and his comments had been attached as an appendix to the report for information. Mr Gill attended the meeting and addressed the Committee.

RESOLVED:- (i) To note the report;

- (ii) To approve the following additional conditions (a) to (d) to the Zoo Licence of South Lakes Wild Animal Park:-
 - (a) The current arrangement for the defrosting of meat is inadequate. A method must be introduced by which the frozen meat can be defrosted safely whilst being protected from contamination by pests or vermin (3 Months).
 - (b) The annual stock inventories must be submitted promptly at the start of each year to the Local Authority as required by the Secretary of State's Standards for Zoos. Where an incomplete or inaccurate return may have to be made as a result of accident or interruption to the zoo's normal record keeping, then an explanatory note be added to the report and a full corrected, inventory submitted as soon as possible after the required date (Immediate).
 - (c) The Ethics Committee must meet regularly and minutes of the business of that Committee be kept on record (Immediate).

(d) A review of the Veterinary programme must be undertaken in conjunction with the consulting veterinarian and a resulting written programme of care (to include parasite control, vaccination, p.m. routine etc) be agreed, recorded and maintained accordingly (3 Months); and

(iii) To agree that the Chief Environmental Health Officer be delegated authority to amend the number of licence conditions to the required minimum following consultation with the Licence Holder.

56 – Application for Private Hire Vehicle Driver’s Licence

The Chief Environmental Health Officer reported on an application he had received for a Private Hire Vehicle Driver’s Licence from Mr L. C. W. He submitted information which had been drawn to his attention concerning the applicant and set out details of the Committee’s policy regarding such matters.

Mr L. C. W. attended the meeting and addressed the Committee. A Police representative was also present.

RESOLVED:- To agree to grant Mr L. C. W. with a Private Hire Vehicle Driver’s Licence on the understanding that he received a written warning as to his future conduct.

57 – Hackney Carriage/Private Hire Vehicle Driver’s Licence

The Chief Environmental Health Officer reported on an application he had received for a Hackney Carriage/Private Hire Vehicle Driver’s Licence from Mr J. S. He submitted information which had been drawn to his attention concerning the applicant and set out details of the Committee’s policy regarding such matters.

Mr J. S. attended the meeting and addressed the Committee. A Police representative was also present.

RESOLVED:- To agree to allow Mr J. S. to retain his Hackney Carriage/Private Hire Vehicle Driver’s Licence on the understanding that he received a written warning as to his future conduct.

58 – Application for a Hackney Carriage/Private Hire Vehicle Driver’s Licence

The Chief Environmental Health Officer reported on an application he had received for a Hackney Carriage/Private Hire Vehicle Driver’s Licence from Mr A. J. H. He submitted information which had been drawn to his attention concerning the applicant and set out details of the Committee’s policy regarding such matters.

Mr A. J. H. attended the meeting and addressed the Committee. A Police representative was also present.

Prior to the making the decision that Mr A. J. H. be granted a licence a vote was taken on the matter. The results were 8 for and 2 against.

RESOLVED:- To agree to grant Mr A. J. H. with a Hackney Carriage/Private Hire Vehicle Driver's Licence on the understanding that he received a severe written warning as to his future conduct.

59 – Application for a Hackney Carriage/Private Hire Vehicle Driver's Licence

The Chief Environmental Health Officer reported on an application he had received for a Hackney Carriage/Private Hire Vehicle Driver's Licence from Mr S. A. E. He submitted information which had been drawn to his attention concerning the applicant and set out details of the Committee's policy regarding such matters.

Mr S. A. E. had been invited to attend today's meeting but had failed to do so.

RESOLVED:- To agree that consideration of this matter be deferred until the next meeting of the Committee and that the Chief Environmental Health Officer would re-invite the driver to that meeting and inform him that should he fail to attend that meeting, a decision would be made by the Committee in his absence.

60 – Private Hire Vehicle Driver

Referring to Minute No. 50 of the meeting held on 3rd December, 2009 the Chief Environmental Health Officer re-submitted a report concerning Mr A. A. A. a Private Hire Vehicle Driver. He submitted information which had been drawn to his attention concerning the driver and set out details of the Committee's policy regarding such matters.

Mr A. A. A. attended the meeting and addressed the Committee. A Police Representative was also present.

RESOLVED:- To agree to allow Mr A. A. A. to retain his Private Hire Vehicle Driver's Licence on the understanding that he received a severe written warning as to his future conduct.

The meeting closed at 3.10 p.m.

LICENSING COMMITTEE	(D) Agenda Item 1
Date of Meeting: 11th March, 2010	
Reporting Officer: Chief Environmental Health Officer	
Title: Application for Street Collection Permit – Variation Policy	
Summary and Conclusions:	
This report deals with an application for a Street Collection Permit which falls outside the policy agreed by the Council.	
Recommendation:	
That Members vary their policy concerning street collections and approve the application.	

Report

I have received an application for a Street Collection Permit from Gillian Bonnell of Truro, Cornwall. The application falls outside the normal criteria covered by the Council's policy concerning street collections.

Set out below is the Council's policy concerning street collection permits.

- a) That it be adopted as policy that once a particular date has been allocated to a charity, no further applications from other charities for the same date will be permitted.
- b) No organisation will be granted more than one collection date in each calendar month.
- c) That preference continues to be given to charities who use money collected locally.
- d) That no more than 50 street collection permits be granted in any one calendar year, such permits to be for collection days on either Fridays or Saturdays. No mid-week collections will be allowed.
- e) Organisations must comply with the Borough of Barrow-in-Furness Street Collection Regulations and submit a statement of accounts following their street collection in order for any similar applications to be considered in future years.

- f) The Licensing Committee or the Street Collection Panel may consider any special requests for additional collections which may be brought to their attention from time to time by any of the applicants to take on board such things as Centenary or other celebration years which may be special to individual charities.
- g) Application falling outside the timescale of the Licensing Committee will be determined at a special meeting of the Licensing Committee or the Street Collection Panel.

Attached as **Appendix 1** to this report is a copy of a letter and associated information received from the applicant.

Two individuals are kayaking around the coastline of Britain and during their journey are hoping to raise funds for two charities:- Water aid and also National Association for Colitis and Crohns.

While Water aid is a charity operating in the world's poorest countries, local residents benefit from work carried out by the National Association for Colitis and Crohns.

It is not possible for the applicant to accurately predict when the fundraisers will be in the Barrow vicinity and the proposed collection may, therefore, take place on a date which does not fall on a Friday or Saturday.

I would ask Member to consider varying the policy on this occasion to allow a Street Collection permit to be issued with no specific date attached and with the proviso that the day of the collection does not coincide with a street collection date already allocated.

Background Papers

Nil