

## **LICENSING COMMITTEE**

### **Minutes of a meeting of the Licensing Committee held on Thursday, 15th April 2010 at 9.30 am in the Reception Suite, Civic Offices, Telford**

**PRESENT:** V.A.Fletcher (Chairman), R.G.Chaplin, R.E.Groom, Y.C.Hicks, T.J.Hope, G.P.Hossell, T.Kiernan, C.N.Mason, H.Rhodes, C.F.Smith and A.G.P.Williams.

#### **LC-148 APOLOGIES FOR ABSENCE**

Councillors E.J.Greenaway (Vice-Chairman), J.A.Francis and K.L.Tomlinson.

#### **LC-149 DECLARATIONS OF INTEREST**

Councillor A.G.P Williams declared a prejudicial interest in Minute Number LC-150 and stated that he would leave the meeting prior to the commencement of this particular agenda item.

Councillor C.N. Mason declared a prejudicial interest in Minute Number LC-151 as he was a current Parish Councillor of Lilleshall & Donnington Parish Council and stated that he would leave the meeting prior to the commencement of this particular agenda item.

#### **LC-150 COMMUNITY GOVERNANCE REVIEW – PARISH OF GREAT DAWLEY – FINAL APPROVAL OF PROPOSALS DOCUMENT**

The report of the Head of Governance was received which sought Members approval of the Final Proposal document that had been prepared following the completion of the Review. Members were informed that the document incorporated the final proposals that had been approved and adopted at the meeting of the Licensing Committee that was held on the 1st April 2010.

Members had been reminded that in the conduct of a Review, the Council had to be mindful of Part 4 of the Local Government and Public Involvement in Health Act 2007, the Guidance on Community Governance Reviews that had been issued by the Department for Communities and Local Government and The Electoral Commission and the Council's Terms of Reference. The legislation placed emphasis on consultation in a Review, and the consultation period had been conducted in line with the legislation and as outlined within the previously published Terms of Reference.

The Committee were reminded that the Council had considered that there had not been sufficient impetus for change to set aside the very real potential losses that maybe experienced by the electors and residents of the whole of the Parish of Great Dawley with the resultant re-adjusted budgets of two separate parish councils. It was for this main reason that the Council considered that the Final Proposals stated that there should be no changes to the current community governance arrangements in the parish of Great Dawley.

It was confirmed to Members that no significant or new responses had been received since the 1st April 2010.

**RESOLVED** – that the confirmation and publication of the Final Proposals for the Parish of Great Dawley be approved.

**LC-151      COMMUNITY GOVERNANCE REVIEW – PARISH OF LILLESHALL & DONNINGTON – FINAL APPROVAL OF PROPOSALS DOCUMENT**

The Committee received the report of the Head of Governance which sought approval of the Final Proposal document that had been prepared following the completion of this Review. The document incorporated the final proposals that had been approved at the meeting of the Licensing Committee that was held on the 1st April 2010. The report also sought Member approval to the proposed change of name of the existing Parish Council to be renamed Lilleshall, Donnington & Muxton Parish Council and that the required reorganisation order under Section 75, Local Government Act 1972 be concluded by the Head of Governance.

Members were reminded that in the conduct of a Review, the Council had to be mindful of Part 4 of the Local Government and Public Involvement in Health Act 2007, the Guidance on Community Governance Reviews that had been issued by the Department for Communities and Local Government and The Electoral Commission and the Council's Terms of Reference. The legislation placed emphasis on consultation in a Review, and the consultation period had been conducted following the legislation and had been outlined within the previously published Terms of Reference.

The Committee were reminded that the Council had considered that there had been no substantial impetus for change that could be regarded as sufficient to provide any substantial benefits in terms of effective and convenient local government for the electors of the area. It was also considered that service provision in parts of the existing parish might be constrained by the partitioning the parish. It was for these reasons that the Council considered that the Final Proposals there should be no change to the current community governance arrangements in the parish of Lilleshall & Donnington.

However the Committee were reminded that at their previous meeting that was held on 1st April 2010 that they had accepted the consensual argument that had been expressed during the consultation period of the proposal to amend the name of the parish to be called Lilleshall, Donnington & Muxton Parish Council in order to reflect the constituent parts of the overall Parish. Members were advised that the Committee would be required to approve delegated authority being granted to the Head of Governance to undertake and seal the required Reorganisation Order that would be required under Section 75, Local Government Act 1972

Members were also referred to the letter that had been recently received from a local residents group of Lilleshall which detailed a further challenge to the review process. The Committee received the advice of the solicitor to the Committee who confirmed that there was no further process that would allow or require the Committee to consider the contents of this letter.

It was confirmed to Members that no significant or new responses had been received since the 1st April 2010.

**RESOLVED**

- (a) that the confirmation and publication of the Final Proposals for the Parish of Lilleshall & Donnington be approved,
- (b) that delegated authority be granted to the Head of Governance to prepare and seal the required Re-organisation Order to affect the change in the current name of Lilleshall & Donnington Parish Council to Lilleshall, Donnington & Muxton Parish Council in accordance with Section 75, Local Government Act 1972; and
- (c) that the Council publishes notification of the change of Parish name and sends notification to the Secretary of State, to the Director General of the Ordnance Survey and to the Registrar General.

**LC-152      EXCLUSION RESOLUTION**

**RESOLVED** – that the press and public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of information as defined in Paragraph 1 of Part 1 of Schedule 12A Local Government Act 1972.

**LC-153      MR.Y.J. – REVIEW OF A PRIVATE HIRE VEHICLE DRIVER LICENCE**

After hearing the evidence presented by the Council's Licensing Operations Manager and the licensee and his representative in accordance with the hearings procedure and following consideration and discussion by the Committee, it was

**RESOLVED** – that the Committee considered that they were satisfied that the licensee was not a fit and proper person to be licensed as a Private Hire Vehicle Driver and that accordingly his licence should be revoked.

**LC-154      MR.W.H. – REVIEW OF A PRIVATE HIRE VEHICLE DRIVER LICENCE**

After hearing the evidence presented by the Council's Licensing Operations Manager and the licensee and his representative in accordance with the hearings procedure and following consideration and discussion by the Committee, it was

**RESOLVED** – that the Committee considered that they were satisfied that the licensee remained a fit and proper person to be licensed as a Private Hire Vehicle Driver and that accordingly he could retain his licence subject to the issuing of a written warning with such warning to remain on his file.

**LC-155      MR.M.K. – REVIEW OF A PRIVATE HIRE VEHICLE DRIVER LICENCE**

After hearing the evidence presented by the Council's Licensing Operations Manager and the licensee in accordance with the hearings procedure and following consideration and discussion by the Committee, it was

**RESOLVED** – that the Committee considered that they were satisfied that the licensee was not a fit and proper person to be licensed as a Private Hire Vehicle Driver and that accordingly his licence should be revoked with immediate effect.

The meeting ended at 3.10 pm.

**Chairman:**

**Date:**