

Regulation Committee

10.00 am, 9 August 2024

Present at the meeting

Councillor K Anderson (Chairman)	Councillor D Hurst
Councillor P J Blay (Vice-Chair)	Councillor C L Roberts
Councillor A Bullen	Councillor J Talbot
Councillor M Callaghan	Councillor J Vickers
Councillor G Davies	Councillor R Whittingham

26 Apologies for Absence:

Councillors Crosby, Galligan, Harding and Mugan.

27 Minutes:

The minutes of the meeting held on 12 July 2024 were agreed as a correct record and signed by the Chairman.

28 Exclusion of the public:

Resolved: The public is excluded from the meeting when the Committee discusses the following items for the reasons set out below:

Agenda Item No.	Title of Report	Minute No.	Description of Exempt Information by reference to Paragraph Number in Schedule 12A of the Local Government Act 1972
E1	Suitability to continue to hold a Hackney Carriage Drivers Licence	31	1 (Information relating to any individual)
E2	Suitability to continue to hold a Hackney Carriage and Private Hire Drivers Licence	32	1 (Information relating to any individual)

29 Experimental Prohibition of Driving Order

The Committee considered a report of the Director – Environment, Paul Barton, presented by the Traffic Management and Parking Services Manager, Danny Orrell, which detailed a proposed Traffic Regulation Order (TRO) on Wigan Road Backs, Atherton. It had been reported that vehicles were being driven to access businesses and were a danger to local residents who had gated access onto the alleyway.

Members were informed that an Experimental Prohibition of Driving Traffic Regulation Order (ETRO) had been installed for 18 months with planters self-enforcing the closure.

The Committee were advised that during the advertisement period, 23 objections had been received.

Members discussed other access points to the businesses on the industrial estate and emergency services access.

Resolved: The Committee:-

- (1) approves the permanent introduction of a Traffic Regulation Order on Wigan Road Backs, Atherton to prevent through traffic, with the planters remaining in place to self-enforce this closure; and
- (2) authorises the Assistant Director – Legal, Governance and Elections to take all necessary steps to secure the implementation of the statutory order.

30 Policy for the allocation of hackney carriage vehicle licences

The Committee considered a report of the Director – Environment, presented by the Licensing Manager, Joanne Brockley, which detailed the proposed policy and criteria for the allocation of Hackney Carriage Vehicle Licences.

The proposed policy set out Wigan Council's approach and criteria where there was availability for a hackney carriage vehicle licence to be granted due to one of the following: natural expiry of a licence; revocation of a licence; refusal to renew a licence; surrender of a licence; or if a new licence became available, over and above the limit of 136.

Resolved: The Committee refuse the policy for the allocation of hackney carriage vehicle licences based on amendment requests for criterion points 3 and 5 below:

- (3) The applicant must live within the Wigan Borough.
- (5) Only 1 expression of interest shall be accepted per address (within the Wigan Borough).

31 Suitability to Continue to Hold a Hackney Carriage Drivers Licence MWB110271

The Committee considered a report of the Director – Environment, presented by Licensing Enforcement Officer, Graeme Pendlebury, which advised Members of an incident that had involved a licensed Hackney Carriage Driver.

The Committee was advised that on 17 June 2024, the driver had been involved in an altercation with another licensed Hackney Carriage Driver.

The Hackney Carriage Driver and his representative attended the meeting and answered questions of the Committee.

A character witness attended the meeting and answered questions of the Committee.

In reaching its decision, the Committee took into account all evidence and representations provided, the circumstances surrounding the incident and all relevant guidelines.

Resolved: The Committee:-

- (1) issues the driver with a written warning; and
- (2) suspends the driver's Hackney Carriage licence until the end of its current term, that being 25 November 2024.

32 Suitability to Continue to Hold a Hackney Carriage and Private Hire Drivers Licence KP130575

The Committee considered a report of the Director – Environment, presented by Licensing Enforcement Officer, Graeme Pendlebury, which advised Members of an incident that had involved a licensed Hackney Carriage/Private Hire Driver.

The Committee was advised that on 17 June 2024, the driver had been involved in an altercation with another licenced Hackney Carriage Driver.

The Hackney Carriage/Private Hire Driver attended the meeting and answered questions of the Committee.

In reaching its decision, the Committee took into account all evidence and representations provided, the circumstances surrounding the incident and all relevant guidelines.

Resolved: The Committee:-

- (1) issues the driver with a written warning; and
- (2) suspends the driver's licence to drive Hackney Carriage and Private Hire Vehicles for a period of one week.

Chairman

The meeting concluded at 2.05 pm