

GENERAL LICENSING COMMITTEE

TUESDAY, 24TH JULY, 2018, 6.00 PM

CROSS ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND PR25
1DH

AGENDA

1 Apologies for Absence

Minutes

2 Minutes of meeting Tuesday, 12 June 2018 of General Licensing Committee (Pages 3 - 6)

3 Minutes of meeting Tuesday, 12 June 2018 of General Licensing Sub-Committee Panel (Pages 7 - 8)

4 Declarations of Any Interests

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

5 Licensing Activity - June 2018 (Pages 9 - 16)

Report of the Head of Licensing attached.

Heather McManus
CHIEF EXECUTIVE

Electronic agendas sent to Members of the General Licensing Committee Councillors David Suthers (Chair), Jacqui Mort (Vice-Chair), Jane Bell, Harry Hancock, Jon Hesketh, Ken Jones, Barbara Nathan, Alan Ogilvie, David Watts, Paul Wharton and David Wooldridge

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

6.00 pm Tuesday, 11 September 2018 - Cross Room, Civic Centre, West Paddock,
Leyland PR25 1DH

MINUTES OF GENERAL LICENSING COMMITTEE

MEETING DATE Tuesday, 12 June 2018

MEMBERS PRESENT: Councillors David Suthers (Chair), Jacqui Mort (Vice-Chair), Jane Bell, Harry Hancock, Jon Hesketh, Ken Jones, Barbara Nathan and Alan Ogilvie

OFFICERS: Mark Marshall (Licensing Manager), Tasneem Safdar (Senior Solicitor) and Dianne Scambler (Governance and Member Services Team Leader)

**CABINET MEMBER
OTHER MEMBERS
AND OFFICERS:** Justin Abbotts (Licensing Officer), Chris Ward (Licensing Officer) (Licensing Officer) and Councillor Rebecca Noblet (Cabinet Member (Public Health, Leisure and Wellbeing) and Member Champion (Rural Communities))

PUBLIC: 0

1 Apologies for Absence

Apologies for absence were received from Councillors Paul Wharton and David Wooldridge.

2 Minutes of meeting Tuesday, 10 April 2018 of General Licensing Committee

RESOLVED (Unanimously):

That the minutes of the General Licensing Committee meeting held on 10 April 2018 be confirmed as a correct record for signing by the Chair.

3 Declarations of Any Interests

There were no declarations of any interests made at the meeting.

4 Delegation Under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976

The Committee considered a report of the Head of Licensing seeking clarity around the use and exercise of powers to suspend and revoke a driver's licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976. Suspensions made by officers were mainly as a result of administrative issues such as a Disclosure and Barring Service (DBS) check or medical expiring before a driver's licence.

It was explained that these circumstances were infrequent and that a new online Disclosure and Barring Service would help to better align expiry dates.

RESOLVED: (Unanimously)

That the Licensing Manager be authorised to suspend driver licences (whether hackney carriage or private hire) in the circumstances set out in Section 4 of the report.

5 Licensing Activity Report - May 2018

The Committee considered a report of the Head of Licensing which provided an update on the number of licensing applications received, enforcement activity and referrals made to partner agencies during the month of May 2018.

The Head of Licensing drew Members attention to a number of areas within the report that included, the issuing of five new premises applications and highlighted the enforcement work that the team were undertaking around premises inspections across the Borough.

In response to Members concerns, assurance was given that any inspection work was carried out in pairs.

RESOLVED: (Unanimously)

That the report be noted.

6 Exclusion of the Press and Public

RESOLVED: (Unanimously):

That the press and public be excluded from the meeting during the consideration of the following item of business as it involved the discussion of information defined as exempt from publication under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)' and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it.

7 Licensing Service Action Plans 2017/18 - 2018/19

The Committee considered the report of the Head of Licensing which provided details of the completed actions contained within the Licensing Service Improvement Plan for 2017 and the Licensing Service Forward Plan for 2018/19 which had been produced to build on the developments and improvements made to date.

The Head of Licensing highlighted the introduction of a number of new initiatives within the 2018/19 Action Plan that included:

- The circulation of a new weekly report of new licensing applications for all Councillors categorised by ward. (Responsible Authority Tracking (RAT) sheet)).
- The obtaining of the BII (British Institute of Innkeepers) status that will allow the team to deliver a Personal Licence Course with a view to improving service delivery; and
- To implement a taxi driver customer care course in line with the Council's policy, to provide more flexible access to the prerequisite qualification at a reduce cost to the BTEC qualification.

RESOLVED: (Unanimously)

- (1) That the progress made against the Licensing Service Improvement Plan for 2017 be noted; and
- (2) that subject to the amendment of some key dates, the Licensing Service Forward Plan for 2018/19 be approved.

Chair

Date

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MINUTES OF	GENERAL LICENSING SUB-COMMITTEE PANEL
MEETING DATE	Tuesday, 12 June 2018
MEMBERS PRESENT:	Councillors David Suthers (Chair), Jane Bell, Harry Hancock, Ken Jones and Barbara Nathan
OFFICERS:	Mark Marshall (Licensing Manager), Tasneem Safdar (Senior Solicitor) and Dianne Scambler (Governance and Member Services Team Leader)
OTHER MEMBERS AND OFFICERS:	Chris Ward (Licensing Officer) and Justin Abbotts (Licensing Officer)
PUBLIC:	0

1 Apologies for absence

Councillor Barbara Nathan was not present when the first application was considered.

2 Declarations of Any Interest

There were no declarations of interests.

3 Exclusion of the Press and Public

RESOLVED (Unanimously):

That the press and public be excluded from the meeting during the consideration of the following item of business as it involved the discussion of information defined as exempt from publication under paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, 'information relating to any individual' and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it.

4 Application for a Private Hire Drivers Licence

The Panel received a report on an application for a Private Hire Driver's Licence.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

The applicant was present with his legal representative and they both addressed the Panel.

The Panel also received representations from the Council's Head of Licensing.

RESOLVED: (Unanimously)

That on the balance of probabilities, the applicant is a fit and proper person to hold a Private Hire Driver's Licence and granted the application.

5 Application for a Hackney Carriage Drivers Licence

Councillor Barbara Nathan joined the meeting.

The Panel received a report on an application for a Hackney Carriage Driver's Licence.

The Chair referred those present to the circulated established procedure for hearings and the process that would be followed.

The applicant was present and addressed the Panel.

The Panel also received representations from the Council's Head of Licensing.

RESOLVED: (For, 4 : Against, 1)

That on the balance of probabilities, the applicant is a fit and proper person to hold a Hackney Carriage Driver's Licence and granted the application.

Chair

Date

REPORT TO	ON
General Licensing Committee	24 July 2018



TITLE	REPORT OF
Licensing Activity – June 2018	Head of Licensing

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

This report provides information to members on Licensing Activity, including applications received, enforcement checks and referrals to partner agencies

2. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	x
Health and Wellbeing	
Place	

Projects relating to People in the Corporate Plan:

People	
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3. RECOMMENDATIONS

3.1 That Members note the progress made by the Licensing Service for the month of June 2018

4. BACKGROUND TO THE REPORT

4.1 Monthly updates on service delivery have been a regular item on the General Licensing Committee Agenda and include in table format the activity carried out by the Licensing Service

4.3 Areas of particular note include a Licensing Review where the applicant is the Licensing Authority, refresh and update Approved Testing Station requirements.

5. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

N/A

6. FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications arising from this report.

7. LEGAL IMPLICATIONS

7.1 There are no direct legal implications arising from this report.

8. COMMENTS OF THE STATUTORY FINANCE OFFICER

There are no financial comments in line with paragraph 5.1 of the report.

9. COMMENTS OF THE MONITORING OFFICER

There are no legal implications identified.

10. OTHER IMPLICATIONS:

▶ HR & Organisational Development	None
▶ ICT / Technology	None
▶ Property & Asset Management	None
▶ Risk	We must continue to improve further the quality of the service. We must do everything possible to protect the general public. A failure to continue to achieve high standards in our Licensing service could result in reputational damage.
▶ Equality & Diversity	None

11. APPENDICES

Appendix A - Improvement Plan 2018/19

Appendix B- Performance figures for the month of June 2018.

Report Author:	Telephone:	Date:
Mark Marshall	01772 625401	4 July 2018

Appendix A

Licensing Forward Plan 2018/2019

No	Action	Responsibility	Target Date	Progress	In Progress/ Completed
Decision Making					
D1	Forward Plan to be a standing agenda item for each Licensing Committee, to include: <ul style="list-style-type: none"> • Member training • Taxi Forums • New/Revised/Reviewed Policies • Quarterly performance reports 	Mark Marshall	Monthly	Taxi Forum conducted 14 th June 2018. Matters arising GPS metres taxi training course No Policy Revision intended at this stage Quarterly Performance attached	On Going
D2	Implement a policy for the testing of modified vehicles	Mark Marshall	August 2018	Policy now ratified by ELT, to be progressed to full council, vehicle test sheets to be amended in order to identify the current stock that requires testing, Vehicles that require the test will be directed to Bamber Bridge Depot for testing.	In Progress
D3	Annual review of the Hackney Carriage and Private Hire Vehicle Licensing Policy and associated appendices	Mark Marshall	March 2019		Not started
D4	To revisit and update the current vehicle testing regime which currently gives operators a choice of 10	Mark Marshall Justin Abbotts	September 2018	Committee Members suggested a closer working relationship with the garages in order	On Going

	commercial garages. The information passed to the Authority from these garages does not reflect an accurate picture of the standard of vehicles with no detail on defects detected the amount of re tests undertaken to achieve a pass and we believes there is a significant difference between garages in consistency.			to achieve better outcome around the information received on testing. Letter sent to all garages with a request to provide updated details and acknowledgement of the changes to the Road Worthiness test which includes an indication as to whether the vehicle passed it test first time and also to indicate whether the vehicle has been adapted since first registration for wheel chair use. 1 garage is now out of business and another has no capability to perform the tests. Up to date details from the garages to be returned by the 20 th July 2018	
Strengthening Partnerships					
S1	Re-establish a working relationship with ; Police Lancashire Fire and Rescue Home Office Immigration	Mark Marshall	March 2019	Meetings have occurred with ; Fire Safety Immigration and Police Joint working arrangements scheduled for Aug 2018	On Going
S2	Hold Taxi Forums on a quarterly basis with members invited to attend	Mark Marshall	Quarterly	Meeting took place on the 14 th June 2018, next meeting scheduled for September 2018.	On Going
S3	Re engage with the local pub watch scheme and aim to increase membership and attendance	Mark Marshall	March 2019		
Building Confidence					
B1	Formally record details of pro-active enforcement action for reporting to the Licensing Committee	Mark Marshall	Monthly	Details recorded on LALPAC database and manual records	Normal Business
B2	Develop a Licensing Tracking sheet to be sent to all Responsible Authorities and Elected Members weekly	Chris Ward	June 2018	Template to be approved	Awaiting Approval
B3	An annual report will be provided to the Licensing Committee detailing the performance and activity of the licensing function over the previous 12 months	Mark Marshall	March 2019	On the 13 June GLC agenda but deferred until July meeting. Presented to GLC on 11th July	On Going

B4	Council to receive reports from the Chair of the GLC on the Licensing Service and Committee activity (other than quasi-judicial matters)	Licensing Chair	March 2019	SO 35 Report submitted to the Licensing Committee re Delegation for LA 2003	On Going
B5	Implement an operator accreditation scheme	Justin Abbotts	December 2018	The adoption and implementation of the scheme is to be undertaken by the new Head of Licensing when that officer is in post. Spoken with Directors of Avacab and Village cars very receptive to the proposals.	Soft Consultation underway and draft scheme being drafted.
B8	Member training plan, including safeguarding training and job shadowing, to be agreed	Licensing Manager	March 2019	Training Session on taxi law on the 4 th June 2018 Mark Marshall and Tasneen Safdar completed, no further dates booked in in discussions with Ben Williams from Kings Chambers to put on a day's training event in October, still to be confirmed.	On Going
Service delivery and transformation					
T1	Review Licensing Process Procedures in order to streamline the systems focussing on risk rather than routine the overall aim is to avoid duplication and provide a better use of officer time	Chris ward	September 2018	Meeting with IT has occurred, agreement to digitise premises licence applications and they are offering advice on setting up an electronic filing system which meets all the data security measures	Ongoing
T2	Training and development programme to be created for Licensing Officers	Mark Marshall	April 2017 & Ongoing	Some training needs identified and options for delivery explored. PDRs to be completed on 28 th April with training (including safeguarding and PACE) being included. PDRs have been completed with Steph & Chris both asking for follow up training on PACE. Training and development has now been incorporated into 'business as usual' and is identified through PDRs and regular one to ones	On going

T3	Obtain BII (British Institute of Innkeepers) Status and begin to deliver Personal Licence Course with a view to increasing income generation	Mark Marshall	August 2018	Received Accreditation on the 28 th June 2018, Course schedule to be drawn up for the next 12 months commencing in September 2018.	Complete
T4	To implement a taxi driver customer care course in line with paragraph 5.7 of the taxi and private hire policy. This will provide more flexible access to the pre requisite qualification at a reduced cost to the BTEC and again increase revenue for the department.	Mark Marshall	August 2018	Course design underway, due to meet with a NVQ assessor who will deliver the practical element of the course on the 13 th July 2018	On going
T5	Register to the Dot Gov web site so that electronic applications for LA 2003 matters can be accepted.	Justin Abbotts	August 2018	IT development underway	On going
T6	Assessment of fees and charges to be effective from July 2018	Licensing Manager	March 2019	Delayed due to the re-structure and shared services agenda	In Progress
T7	Review of the Gambling Policy	Mark Marshall	Jan 2019	National policy for all councils to review their gambling policies by Jan 2019. To be included in the GLC forward plan.	

Appendix B

Enforcement during the month June 2018

Vehicle Checks									
Officers	Date	Time	Plate No.	Reg	Driver	Sanction	Completed by	Completed?	Officers notes
JA	4th June		HCV0046	YT66 KZR	Kindertons	Accident replacement vehicle inspection,	JA	Yes	window tints check/ vehicle inspection complete.
CW	5th June		PHV0131	PL65 TFV	M Mughal	new vehicle inspection.	CW	yes	window tints check/ vehicle inspection complete.
CW	7th June		PHV0090	VO64 KHD	M Mehmood	new vehicle inspection.	CW	Yes	window tints check/ vehicle inspection complete.
JA	15th June		HCV0054	LN64 OUE	John Gregory	Tinted window test on vehicle at garage before purchase	JA	Yes	driver request officer attend garage to test tinted window before purchasing.
JA	21st June		PHV0099	EJ15 VEU	Ian House	New vehicle inspection.	JA	Yes	window tints check/ vehicle inspection complete.
CW	27th June		HCV0019	GM17 SZN	Avacab	Vehicle change, new vehicle inspected	CW	Yes	window tints check/ vehicle inspection complete.
JA/MM	21st June		HCV0054	LN64 OUE	John Gregory	Meter Test for New Vehicle	JA/MM	Yes	Meter passed measured mile test
JA/MM	29th June		PHV0009	CN57 GJU	Wallbanks	Wheelchair access vehicle tested	JA/MM	Yes	demonstration performed by driver for the lift etc.
JA/MM	29th June		n/a	N/a	Wallbanks	Operator inspection	JA/MM	Yes	records, vehicles, garage inspected
CW	29th June		PHV0064	YD14 VCN	A Yaseen	Accident Damaged Vehicle	CW	Yes	Vehicle suspended, plates returned.
CW	29th June		PHV0100	MF18 EKK	Autodrive	Accident replacement vehicle inspection,	CW	Yes	window tints check/ vehicle inspection complete.
CW	29th June		PHV0001	BJ18 XWX	M Livesey	Vehicle change, new vehicle inspected	CW	Yes	window tints check/ vehicle inspection complete.

12 Vehicles inspected
0 requiring further attention.

Officers	Premises details	Revist needed?	Outcome of inspection	Date
MIM	Moss lane Convince	Yes	multiple safety issues and no POA training	4th June
MIM/CW	Turpin Green Lane	No	electrics and POA training	4th June
MIM/CW	35 Chapel Brow	No	None	4th June
MIM/CW	Turpin Green Lane	No	letter served	5th June
MIM/CW	Moss lane Convince	Yes	letter served	5th June
MIM	Nisha, Hennel Lane	No	Transfer Docs served	5th June
MIM CW/JA	Best One Leyland lane	No	AIO	5th June
MIM CW/JA	374 Leyland Lane	yes	warning letter re POA training	5th June
MIM/JA	Higher Walton Takeaway	yes	Further night time Obs required.	5th June
MIM/CW/JA	Lime Bar	No	All doors closed to the front	15th June
MIM/CW/JA	Walmer Bridge Village Hall festival	No	All door staff and fires safety arrangements in order	15th June
MIM/CW/JA	Naaz- 1 Club Street, Bamber Bridge	No	Licensing review	15th June
MIM/CW/JA	Zen Zen 464 Leyland Road	NO	Complaint unjustified	15th June
MIM/CW/JA	Yum Yums Chapel Brow	Yes	CCTV inoperative	15th June
MIM/CW/JA	Higher Walton Takeaway	NO	Refused service after 11pm	15th June
CW/JA	Old Leyland Gates	No	Noise complaint regarding outside speakers. Resolved, DPS removed rear speak close to residents property.	20th June
CW/JA	Londis Manor lane	No	Premises has closed down, no action required.	22nd June
CW/JA	Millbrook Way Services	No	conditions check, AIO	22nd June
CW/JA	Kwick Stop New Lostock Hall	No	conditions check, AIO	22nd June
CW/JA	Premiere Store Preston Rd Farington	yes	advised written authorisation needed for staff, no proof of age training logged, fire extinguisher needs servicing	22nd June
CW/JA	Albrighton Stores Lostock Hall	No	conditions check, AIO	22nd June
MIM/JA	Naaz- 1 Club Street, Bamber Bridge	No	Notices in place	28th June
MIM/JA	Lime Bar, Liverpool Road	No	Rear store room checks following complaints	28th June

23 Premises visited with 6 of these resulting in
Licensing concerns or referrals to partner agencies.

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