

MINUTES OF LICENSING AND PUBLIC SAFETY COMMITTEE

MEETING DATE **Tuesday, 11 June 2019**

MEMBERS PRESENT: Councillors Ken Jones (Chair), Alty, Jane Bell, Derek Forrest, Mick Higgins, Peter Mullineaux, Alan Ogilvie, John Rainsbury and S Whitaker

OFFICERS: Mark Marshall (Head of Licensing), Tasneem Safdar (Senior Solicitor) and Coral Astbury (Trainee Governance and Member Services Officer)

OTHER MEMBERS: Councillor Susan Jones JP (Cabinet Member (Environment)), Councillor Keith Martin, Justin Abbotts (Licensing Officer) and Stephanie Fairbrother (Licensing Officer)

PUBLIC: 0

1 Apologies for Absence

Apologies were received from Councillor Jacqui Mort.

2 Declarations of Interest

None.

3 Minutes of the General Licensing Committee

RESOLVED: (Unanimously)

That the minutes of the General Licensing Committee meeting held on Tuesday 12 March 2019 to be agreed as a correct record for signing for by Chair.

4 Minutes of the Licensing Act Committee

RESOLVED: (Unanimously)

That the minutes of the Licensing Act Committee meeting held on Tuesday 12 March 2019 to be agreed as a correct record for signing for by Chair.

5 Annual Report

The Committee considered a report of the Head of Licensing which sought approval to be presented at the next full Council.

The report contained detailed information on all work undertaken by the Licensing authority over the past twelve months and focused on work undertaken in the areas of; hackney carriage/private hire drivers, Licensing Act 2003, Gambling and Scrap Metal. The report also made reference to the relatively untouched areas of work

relating to Licensed Premises and Gambling. Members were advised that the Action Plan 2018/2019 contained in Appendix 1 was used as a starting point for the Licensing Team and it was included within the report for Committee to compare against what had been achieved by the authority to date.

Members sought clarification of a mis type within the Annual Report and it was confirmed that on page 26 Section 9 the date should read as, "2019/20"

The report was received positively by members of the Committee who commented its comprehensiveness and detail, although it was suggested that the achievements of the Authority should be highlighted more. The Chair added that the report reflects all the hard work undertaken by both previous Committee Members and Officers.

Councillor Keith Martin, who was in the audience, asked a question in relation to the ongoing situation at the Mobile Home site at Penwortham Residential Park and asked for clarification on what action would be taken by the Licensing authority. The Head of Licensing explained that the Licensing Authority is responsible for enforcing the standards and conditions of the site, and would look at the amenability, combustibles and if there was any spacing issues.

The team would undertake an inspection with the fire authority to determine what, if any, action would be taken.

RESOLVED: (Unanimously)

1. That the report be noted.
2. That following the amendment of the typing error, the report be submitted to Full Council for approval.

6 Use of Standing Order 35

The Committee received a report from the Head of Licensing which detailed the recent use of Standing Order 35 in relation to Moss Lane Convenience Store.

The Premises Licence holder had been brought before a Licensing Act Panel in November 2018 following concerns over illegal workers, a failed underage test sale and a lack of training documents for staff. As a result, the panel felt that the only appropriate measure was to revoke the licence. An appeal was then made to the Magistrates against the Licensing Authorities decision.

In early January 2019 the Licensing Authority was contacted by an interested party who wished to take over the business, with the licence being transferred. Clear severance from the previous business owner had been demonstrated and the Head of Licensing explained that the Section 35 order was used to reinstate the licence to the new owner and settle the current appeal on the premises.

RESOLVED: (Unanimously)

That the report be noted.

7 Exclusion of the Press and Public

RESOLVED: (Unanimously)

That the press and public be excluded for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

By Virtue of Paragraph 1: Information relating to any individual.

8 Use of Standing Order 35

The Head of Licensing presented a further report to the Committee on the use of Standing Order 35.

The Committee were advised that the authority had received disclosure from an operator regarding the emotional state of one of their drivers. Further investigation showed that the driver was struggling emotionally and accepted this, and surrendered his licences to the Authority. The Head of Licensing explained that although the driver had surrendered his licence it was necessary to use Standing Order 35 to revoke the licence so that his details and the circumstances were placed on a national register, making this information accessible if the driver was to reapply in the future.

RESOLVED: (Unanimously)

That the report be noted.

Chair

Date