

MINUTES OF GENERAL LICENSING COMMITTEE

MEETING DATE Tuesday, 19 September 2017

MEMBERS PRESENT: Councillors John Rainsbury (Chair), Mike Nelson (Vice-Chair), Jane Bell, Mary Green, Harry Hancock, Ken Jones, Paul Wharton and David Wooldridge

OFFICERS: Tasneem Safdar (Senior Solicitor), Andy Glover (Interim Licensing Manager), Stephanie Fairbrother (Licensing Officer), Chris Ward (Licensing Officer) and Dianne Scambler (Democratic and Member Services Officer)

OTHER MEMBERS AND OFFICERS: Councillor Jacqueline Mort (Cabinet Member for Public Health, Safety and Wellbeing), Denise Johnson (Director of Development, Enterprise and Communities) and Peter Haywood (Revenues Manager)

PUBLIC: 0

27 Apologies for Absence

Councillors Jim Marsh and Barbara Nathan submitted their apologies.

28 Minutes

RESOLVED (Unanimously): That the minutes of the General Licensing Committee meetings held at 2pm and 6pm on Tuesday 11 July 2017 be confirmed as a correct record for signing by the Chair.

29 Declarations of Interests

There were no declarations of interests.

30 Exclusion of the Press and Public

RESOLVED (Unanimously): That the press and public 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 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

31 Driver Hearing - Application for a new driver's licence

The Committee received a report regarding an application that had been made for a Hackney Carriage Driver's License. The applicant attended the meeting and addressed the Committee. The Committee also received representations from the Council's Licensing Manager.

The Committee RESOLVED (Unanimously): to grant the application. The

Committee found that on the balance of probabilities the driver was a fit and proper person to hold a Hackney Carriage Driver's Licence.

Councillor Mike Nelson joined the meeting at this point.

Members of the Press and Public were allowed back in the room.

32 Implementation Update Plan

The Committee received a report that provide an update of the Implementation Plan. The Plan had been amended on a regular basis since it was last presented to Members and the latest version was attached to the report.

Real progress continues to be made against the identified targets and of the 31 actions, 14 were currently rated as green (complete), 14 as Amber (in progress), with only 3 yet to commence.

In addition it was reported at the meeting that a further action, a review of current driver/operator licences against the new approved Convictions Policy had now been completed since the agenda was published.

Two targets that related to a review of the Licensing Team would be delayed until after the outcome of the Senior Management Restructure was known.

RESOLVED (Unanimously): That the report be noted.

33 Forward Plan 2017/18

The Committee received the latest version of the Forward Plan for 2017/18. It was noted that the Plan included a number of changes including the additional workload anticipated in October 2017, when the outcome of the six consultation exercises currently underway are known.

The end of September marks the half way period through the municipal year, therefore presenting an opportunity to evaluate the work already undertaken by the Committee to date. A number of tasks had already been completed and good progress was being made.

With the team of 2.5 officers already working at full capacity the Operator Accreditation Scheme had been deferred to March 2018.

Members were also made aware that Licensing Fees and Charges would be kept separate to all other fees and charges that were being reviewed as part of the budget setting process for 2018/19.

RESOLVED (Unanimously): That the report be noted.

34 Performance Data

Members considered a report setting out performance data relating to the work of the Licensing Section. In response to comments made at the previous meeting the team had improved its presentation and Members were pleased with the results and

thanked officers on the improvements. Diagrams provided context in the form of trend analysis and month by month comparisons, explanations of abbreviations were provided and examples given of premises visited.

In response to Members concerns that no test purchasing seemed to have taken place over the last three months, it was explained that this was most likely the result of a breakdown in communication between the County Council whose responsibility it was and the Licensing team. Every effort would be made to improve on this reporting.

RESOLVED (Unanimously): That the report be noted.

35 Updates - Taxi Trade Forum and Consultation Process

The Committee received a report that updated Members on a range of recent Licensing activity that had taken place by the team that included a meeting of the Taxi Trade Forum and a number of consultations.

The Committee discussed lessons learnt from the Taxi Trade Forum that included better promotion of the event, a change of layout for future meetings and information as to the extensive measures taken by officers to ensure that they received as much trade and public feedback as possible on the consultation documentation.

Members also noted the date of the next Taxi Trade Forum on 26 October 2017.

RESOLVED (Unanimously): That the report be noted.

36 "Out of Town Drivers: Request for support for National Campaign

The Committee received a report that update Members on a national campaign being co-ordinated by Transport for London with a view to addressing the issues arising from Hackney Carriage and Private Hire drivers who are licenced in one local authority being able to drive legitimately in other areas where they do not hold a licence.

The Council has recently consulted upon a proposed Intended Use Policy which will provide the authority with some control. However, as this is a national issue the suggested approach would provide Government with information to show that it is a real issue that needs addressing across the country.

The Committee all agreed to support this campaign and thought that the taxi trade of South Ribble would also welcome the initiative. Members considered it important that their involvement should be publicised across the borough.

RESOLVED (Unanimously): That the General Licensing Committee supports the national campaign and that the Chair of the Committee be delegated authority to sign a letter of support on behalf of the General Licensing Committee.

37 Constitutional Reform - Terms of Reference for General Licensing Committee and Panels

The Committee considered a report that proposed an amendment to the Terms of Reference as set out in the Council's Constitution for the General Licensing

Committee. It also proposed new arrangements for the introduction of a more streamlined system for hearings of the Committee with the introduction of smaller Sub-Committees.

It was proposed that future hearings would be heard by a Sub-Committee Panel consisting of five members, drawn from the membership of the General Licensing Committee and would retain its political balance.

In order to ensure consistency of approach each Sub-Committee Panel would be chaired by either the Chair or Vice-Chair of the General Licensing Committee.

The proposed new Terms of Reference were provided in Appendix 2 of the report.

The new approach would enable members attendance at hearings to be pulled together more speedily and flexibly to prevent a backlog of hearings building up, as has occurred in the past. It would also bring the hearing process into line with the majority of its neighbouring authorities and free up the General Licensing Committee to strengthen their strategic role in the development of policy.

In response to concerns raised, Members were reassured that they would all continue to play a positive role in the practical work of the Committee and that every effort would be made to ensure that appointments to the Sub-Committee's would be spread evenly across all members.

It was proposed by Councillor Paul Wharton, seconded by Councillor Jane Bell to move Appendix 2 of the report subject to the following amendment that the Chair of the Sub-Committee Panel be chosen by the Panel and that the power to licence sex shops and sex cinemas be given to the General Licensing Committee. The motion was lost For 3: Against 5

RESOLVED (For 5: Against 2, 1 abstention): That Appendix 2, revised Terms of Reference for the General Licensing Committee be approved.

Chair

Date