

MINUTES OF GENERAL LICENSING COMMITTEE

MEETING DATE Tuesday, 28 November 2017

MEMBERS PRESENT: Councillors Mike Nelson (Vice-Chair), Jane Bell, Mary Green, Claire Hamilton, Harry Hancock, Ken Jones, Jim Marsh, Barbara Nathan, David Watts and David Wooldridge

CABINET MEMBER: Councillor Jacqui Mort (Cabinet Member for Public Health, Safety and Wellbeing)

OFFICERS: Tasneem Safdar (Senior Solicitor), Andy Glover (Interim Licensing Manager) and Andy Houlker (Senior Democratic Services Officer)

OTHER MEMBERS AND OFFICERS: Councillor Keith Martin and Councillor Paul Wharton and Peter Haywood (Revenues Manager), Stephanie Fairbrother (Licensing Officer) (Licensing Officer), Chris Ward (Licensing Officer)

PUBLIC: 0

47 Apologies for Absence

An apology for absence was submitted on behalf of Councillor Rainsbury. Councillor Wooldridge had apologised that he might be late due to an earlier engagement.

48 Declarations of Any Interests

There were no declarations of interest.

49 Minutes of the General Licensing Committee

RESOLVED (Unanimously):

That the minutes of the meeting of the Committee held on 17 October 2017 be approved and signed.

50 Minutes of the General Licensing Sub Committee Panel

50a Minutes of meeting Tuesday, 17 October 2017 of General Licensing Sub-Committee Panel

RESOLVED (Unanimously by those members of the Panel present):

That the minutes of the meeting of the General Licensing Sub-Committee Panel held on 17 October 2017 be approved and signed.

50b Minutes of meeting Tuesday, 24 October 2017 of General Licensing Sub-Committee Panel

RESOLVED (Unanimously by those members of the Panel present):

That the minutes of the meeting of the General Licensing Sub-Committee Panel held on 24 October 2017 be approved and signed.

51 Residential Caravan Sites - Proposed Adoption of (1) Model Standards 2008 and (2) Draft Mobile Home Fee Policy with Associated Documentation

The Interim Licensing Manager presented the report which proposed in respect of Residential Caravan Sites that the Council conduct a consultation exercise on Model Standards and a draft Mobile Home Fee Policy. Also attached to the report were appendices relating to the; model standards, fees policy, fees calculation, application form and equality impact assessment.

The Council had responsibility for the licensing of these sites with central government producing guidance on licence conditions to be applied. It did not appear that the Council had adopted this guidance. The purpose of the conditions was to promote the safety and welfare of site residents. At present there were three licensed sites in the borough.

After the end of the consultation period (which included both site owners and residents), responses would be considered by the Committee and formal adoption of the subsequently proposed standards and policy would be considered by full Council.

In respect of the model standards and the three existing sites, these could not be introduced/implemented retrospectively and would need to be by negotiation with the site owner(s). Whilst the Council currently had no charging policy, these three sites fell within the criteria of those which could be subject to a fee charging regime. This Council's suggested charges had been calculated on its own arrangements. When the consultation ended and the report was presented to Committee this would include more comparative information on charges by other neighbouring authorities.

RESOLVED (Unanimously):

That in respect of:

(1) Model Standards 2008:

- (a) note the Model Standards 2008 for Caravan Sites in England (attached as Appendix 1 to the report);
- (b) agree that for future applications for a site licence, the Licensing Section undertake a consultation exercise with stakeholders on the proposed adoption of the Model Standards 2008 using the methodology set out in section 10 of the report; and
- (c) agree that for existing holders of a site licence, the Licensing Section enter into negotiations with each of the 3 current holders of a site licence in order to secure their agreement for incorporation of the 2008 Model Standards within the site licence;

(2) Draft Mobile Homes Fee Policy:

- (a) note the draft Mobile Homes Fee Policy (Appendix 2 to the report) and associated documentation (Appendices 3-5 to the report);
- (b) agree that the Licensing Section undertake a consultation exercise with stakeholders on the proposed adoption of the draft Mobile Homes Fee Policy, using the methodology set out in section 10 of the report; and
- (c) agree in principle that – the draft Mobile Homes Fee Policy be adopted - holders of a site licence should pay an annual fee for an inspection by Licensing staff from 2018/19 onwards (as referred in section 7.7.3 of the report); and

- (3) both (1) and (2) above, agree to receive a report on the outcome of the consultation exercises at a future meeting, with a view to subsequently reporting to full Council for formal adoption.

52 Implementation Plan

The Interim Licensing Manager presented the current version of the implementation plan. This had been regularly reported to the Committee since March 2017 with the last being at the meeting on 19 September. It was a living document and now contained 32 actions and the progress on these was detailed in the report.

In respect of safeguarding training to be provided to all drivers, this was discretionary training and had been provided. After its promotion by officers only 27 (about 10%) of all licensed drivers had as yet not taken this up. The Council had recently approved a change of policy for the licensing of drivers and attendance at this training was now compulsory. All new applicants on application and existing licence holders on renewal would have to attend or would not be granted a licence.

RESOLVED (Unanimously):

That the progress being made in the Implementation Plan be noted.

53 Forward Plan

The Interim Licensing Manager presented the current version which had last been considered by the Committee on 19 September 2017.

Key points

- fees and charges – this was provisionally listed for the Committee in January 2018 subject to clarification of the Licensing Section staffing situation
- in-cab cctv – it was the intention that a report be brought to Committee in February 2018
- Council's Gambling Policy – this had to be reviewed and adopted by 31 January 2019 and could be a significant piece of work needing to be scheduled

RESOLVED (Unanimously):

That subject to the inclusion of a Review of the Council's Gambling Policy, the Committee's Forward Plan be noted.

54 Member Training Programme

The Interim Licensing Manager produced a report on the ongoing training programme for members of the Committee.

The Committee was asked to reflect on the recent visit to Chorley BC and it was observing its licensing meetings was felt overall to have been useful mainly noting the good chairmanship, being knowledgeable and in control of proceedings. It was wondered if the Committee might want to reciprocate. Also, the Committee was also asked to consider whether to participate in and jointly fund a training event with Chorley BC hosted by Jim Button in March 2018.

RESOLVED (Unanimously) that:

- (1) the training programme be noted;
- (2) Chorley BC be thanked for its hospitality and asked if members of its Licensing Committee would like to visit and observe a meeting of South Ribble's Licensing Committee; and
- (3) Chorley be advised that this Council is interested to be participate in and jointly fund a training event hosted by Jim Button in March 2018.

55 Update on Miscellaneous Licensing Activity

The Interim Licensing Manager presented an update to Committee on miscellaneous licensing activity that had taken place since the last meeting in October. This had included:

- Taxi Trade Forum held on 26 October 2017 – this had been well attended with good debate and worth repeating but still no owners were present. An issue was access to the drivers' professional qualification. It was wondered whether there was scope to amend the Council's policy to grant a licence allowing drivers six months grace to acquire the qualification, if not achieved the driver would lose the licence;
- consultation in November 2017 as a result of members' deliberations at the General Licensing Committee in October 2017;
- decision to defer referral of the modified vehicles' report to full Council until 17 January 2018; and
- outcome of an inspection exercise carried out by the Licensing Section to ensure that all vehicles licensed with tinted rear windows and licensed since July 2016 meet with the revised requirements of the Council's Licensing Policy.

RESOLVED (Unanimously) that:

- (1) the information provided on recent Licensing activity (sections 6-8 of the report) be noted; and
- (2) in respect of the Taxi Trade Forum:
 - (a) a report be presented to a future meeting on the details/merits of a provisional six month driver's licence in lieu of acquiring the professional qualification;
 - (b) a report be submitted to the next meeting of the Committee detailing the scope/terms of reference of a task group to look at the suitability/appropriateness of the Council's current age limit on licensed vehicles; and
 - (c) noted that the proposed date of the next Forum was 1 February 2018;

- (3) lack of progress in respect of vehicles that had been subject to modification was noted and Councillor Nelson offered to assist to get members of the trade to a meeting with the County Council; and
- (4) the Committee commended officers in the Licensing Section for their efforts to achieve the target of licensed vehicles fitted with tinted glass to comply with the Council's policy.

56 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.

57 Update on Recent Decisions to Revoke Two Drivers' Licences Taken (1) Under Standing Order 35 and (2) by a General Licensing Sub-Committee Panel

The Interim Licensing Manager reported on two recent decisions to revoke Hackney Carriage Driver's Licences. The first being a decision to revoke taken on 18 October 2017 under the Standing Order 35 and the second being a decision taken on 17 October 2017 by the General Licensing Sub-Committee Panel.

RESOLVED (Unanimously):

That the decisions taken be noted.

Chair

Date