

LICENSING COMMITTEE19 JULY 2011

Present:- Councillor G L Downing (Vice-Chairman, in the Chair), Councillor G J Caines, Councillor D J Casey, Councillor P G De Vaux Balbirnie, Councillor V E Guglielmi, Councillor A J Mitchell, Councillor G L Mitchell, Councillor D Oxley, Councillor M E Platt, Councillor J A Powell, Councillor A R Pugh, Councillor H A Shearing, Councillor D C Skeels, Councillor J F White.

Substitute Members:- Councillor A F W Colbourne (for Councillor A J Fawcett).

In Attendance:- Assistant Head of Legal Services (Licensing and Parking Services), Solicitor (WRR), Licensing Officer, Senior Democratic Services Officer, Enforcement Officer (DO).

(7.30 p.m. - 8.48 p.m.)

1. CHAIR

In the absence of the Chairman of the Committee (Councillor Fawcett), the Chair was occupied by the Vice-Chairman, Councillor Downing.

Councillor Downing informed Members that Councillor Fawcett was currently unwell and she, on behalf of the Committee, extended her best wishes to Councillor Fawcett for a full and quick recovery.

2. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Fawcett.

3. MINUTES

The minutes of the meeting of the Committee held on 14 April 2011 were approved as a correct record and signed by the Chairman subject to resolution (c) being added to minute 45 which reads: "That the Committee delegates Councillor H A Shearing to work with Officers to draft a set of proposals to be approved as suitable for consultation with the trade and other interested parties."

4. TO RECEIVE THE MINUTES OF THE MEETING OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE HELD ON 13 JUNE 2011

The Committee received the minutes of the meeting of the Licensing (General Purposes) Sub-Committee held on 13 June 2011, which had previously been circulated and noted the decisions contained therein.

5. LICENSING ACT 2003 - APPLICATIONS APPROVED UNDER DELEGATED POWERS

The Committee noted the contents of a report on Premises Licence/Club Premises Certificate and Personal Licence applications which had been approved under delegated powers during the period 14 April 2011 - 31 May 2011, which report was submitted for information only.

6. EXCLUSION OF PRESS AND PUBLIC

RESOLVED - That under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

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Vice-Chairman in the Chair – Councillor Downing

7. TO RECEIVE THE SPECIAL MINUTES OF THE MEETING OF THE LICENSING (GENERAL PURPOSES) SUB-COMMITTEE HELD ON 13 JUNE 2011

The Committee received the special minutes of the meeting of the Licensing (General Purposes) Sub-Committee held on 13 June 2011, which had previously been circulated and noted the decisions contained therein.

8. HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES AND DRIVERS: A PROPOSED REVISION OF ACCEPTANCE CRITERIA

Further to minute 45 (14.4.11) the Committee had before them a report of the Head of Legal Services and Monitoring Officer which revisited the acceptance criteria for Hackney Carriage/Private Hire Vehicles and Drivers with a view to improving the image of the trade and to enhancing the travelling experience of both residents and visitors to the District.

After a detailed discussion it was moved by Councillor White, seconded by Councillor D Oxley and:-

RESOLVED - (a) That the proposals for revising the acceptance criteria for Hackney Carriage/Private Hire Vehicles and Drivers, as set out in item B.1 of the report of the Head of Legal Services and Monitoring Officer, be noted.

(b) That in addition to those proposals the following be also taken forward by the Officers:-

(i) The possibility of introducing knowledge tests for all applicants to be Private Hire Drivers;

(ii) The possibility of incentives to the trade to encourage them to move towards adopting the Council livery on their vehicles and to adopt the other proposals of the Council.

(c) That permission is granted to the Officers to commence discussions with the taxi trade and other interested parties about the proposed revision of the acceptance criteria for Hackney Carriage/Private Hire Vehicles and Drivers.

(d) That the outcome of those discussions together with recommendations for revising the aforesaid acceptance criteria be reported to the next meeting of the Committee.

9. MR ALAN CLARKE

Further to minute 6 of the meeting of the Licensing (General Purposes) Sub-Committee held on 13 June 2011 the Committee were advised that Mr Alan Clarke had exercised his right of appeal to a Magistrates' Court against the Sub-Committee's decision to revoke his Hackney Carriage Drivers' Licence and that Mr Clarke's appeal had been heard on Monday 27 June 2011. The Court had found that Mr Alan Clarke was a fit and proper

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person to continue to hold a Hackney Carriage Drivers' Licence and had overturned the Sub-Committee's decision to revoke his Licence, had reinstated his Licence and had also awarded Mr Clarke costs in the amount of £500.00.

Members noted the foregoing.

Chairman