

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No.

meeting date: 19 JUNE 2012
title: PROGRESS REPORT – LICENCE CONDITIONS AND INFRINGEMENT SCHEME
submitted by: CHIEF EXECUTIVE
principal author: DIANE RICE, HEAD OF LEGAL AND DEMOCRATIC SERVICES

1 PURPOSE

- 1.1 To inform Committee about progress in implementing decisions made by the Licensing Committee on 20 March 2012.

2 BACKGROUND

- 2.1 At the meeting referred to above, Committee decided to consult licence holders in relation to changes to licensing conditions to address concerns about tinted windows in vehicles and smoking in vehicles and the operators base.
- 2.2 Committee also agreed to consult about the changes which would be necessary to the Council's infringement scheme to reflect the changes to the licensing conditions.

3 ISSUES

- 3.1 Licence holders have been consulted, and to date no responses have been received.
- 3.2 The intention of Committee was that the matter should be referred back to the June meeting of Committee in order to confirm the changes or consider any consultation responses.
- 3.3 However, in the interim, the Council has received notification from NALEO (the National Association of Licensing Enforcement Officers) that a recent court decision has ruled an infringement scheme unlawful.
- 3.4 There are numerous reasons why this could have occurred, and this does not necessarily mean that the Council's scheme will be affected in any way. However, the full judgement is not yet available; it is therefore not possible to assess the effect of the decision.
- 3.5 confirming the decisions made by Committee and considering any responses received will therefore be deferred until it has been possible to ensure what effect, if any, the recent decision has on the Council's infringement scheme.

4 CONCLUSION

- 4.1 Note that the matter will be deferred until after the full effect of the court decision is known.

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CHIEF EXECUTIVE

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