

Minutes of Licensing Committee

Meeting Date: Tuesday, 12 April 2016, starting at 6.30pm
Present: Councillor J Alcock (Chairman)

Councillors:

I Brown	S Hind
S Brunskill	J Holgate
M Fenton	S Knox
G Geldard	J White
R Hargreaves	

In attendance: Head of Legal and Democratic Services, Solicitor.

706 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors S Atkinson, P Elms, S Hirst, G Scott.

707 MINUTES

The minutes of the meeting held on 3 November 2015 were approved as a correct record and signed by the Chairman.

Committee received the minutes of the meetings of the Licensing Sub-Committees held on 3 and 23 November 2015, 9 December 2015, 22 January 2016 and 1 February 2016.

708 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no pecuniary and non-pecuniary declarations of interest.

PUBLIC PARTICIPATION

There was no public participation.

709 REVIEW OF CONVICTIONS POLICY FOR PRIVATE HIRE AND HACKNEY CARRIAGE LICENCES

The Chief Executive submitted a report on the review of the Council's convictions policy for private hire and hackney carriage licences. The Council's Solicitor explained that the Council is required to assess whether an applicant for a private hire or hackney carriage driver's or operator's licence is a fit and proper person to hold such a licence. One aspect of the assessment is the record of the previous convictions of the applicant, and consideration of that record against the approved policy of the Council. The current policy had been adopted in 2007. It was considered that the policy required updating and revision, and to be more comprehensive. The Police had also requested that the authorities across the region should adopt similar policies.

A draft policy was submitted to Committee for approval, prior to being the subject of consultation. The proposed policy was more prescriptive as to what motoring offences would be considered major or minor and the appropriate consequences; made more detailed provision with regard to offences of violence and indecency, particularly involving children or vulnerable people; included offences under the legislation relevant to private hire and hackney carriage licence holders; referred to the Disclosure and Barring Service, rather than to the Criminal Records Bureau; and provided more guidance on how to approach the issue of convictions in the overall assessment of whether an applicant was a fit and proper person.

RESOLVED: That Committee

1. approve the draft statement of policy and guidelines on relevant convictions for hackney carriage and private hire licensing;
2. authorise the Head of Legal and Democratic Services to consult all the relevant licence holders and interested parties on the terms of the draft Statement of Policy.

710 POLICY AND PROCEDURE FOR FILM CLASSIFICATION

The Chief Executive submitted a report seeking Committee's approval for adoption of a policy on film classification, and thereafter to delegate authority for decision-making to the Licensing Sub-Committee. The Licensing Act 2003 requires every premises licence authorising exhibition of films to be subject to a condition restricting admission to the film in accordance with any age restrictions made either by a film classification body or by the licensing authority. Almost all major theatrical film releases in the UK will have been classified by the British Board of Film Classification.

Where a film has not been classified by the BBFC, it is the responsibility of the licensing authority to determine the age restriction requirement. A request had been received for classification of a documentary film which was not classified by the BBFC to be shown at premises in the Ribble Valley. This was not yet a formal application.

A draft policy was put forward for consideration by Committee and, subject to approval, to be the subject of consultation.

RESOLVED: That Committee

1. approve the draft policy for determining film classifications;
2. authorise the Head of Legal and Democratic Services to consult for 8 weeks on the terms of the draft policy.

711 REFORMS TO THE LICENSING ACT 2003

The Chief Executive submitted a report for Committee's information on proposed reforms to the Licensing Act 2003, which had been introduced in the Policing and

Crime Bill which was currently before Parliament. This would amend the definition of alcohol to include powdered alcohol and vaporised alcohol; amend the summary review process with regard to interim steps in the review process and any appeal; give licensing authorities power to revoke or suspend a personal licence when a person is convicted of a relevant offence; extend the list of relevant offences; and remove the requirement for revision of guidance under Section 182 of the Licensing Act to be laid before and approved by Parliament.

The Government had also announced relaxation of the licensing laws on the weekend of the Queen's 90th birthday (subject to consultation) to enable premises licenced to trade until 11pm to be allowed to open until 1am on Saturday, 11 June 2016 and 1am on Sunday, 12 June 2016.

RESOLVED: That the report be noted.

712 RIBBLE VALLEY SAFETY ADVISORY GROUP

Committee received the minutes from the meeting of the Ribble Valley Safety Advisory Group dated 4 February 2016.

713 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the fact that the following items of business are exempt information under Category 1 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

714 UPDATE ON LICENSING APPEALS

The Chief Executive submitted a report for Committee's information on the progress and outcome of appeals lodged at the Magistrates Court against Licensing Sub-Committee decisions on 3 November 2015, 23 November 2015 and 9 December 2015.

RESOLVED: That the report be noted.

The meeting closed at 6.44pm

If you have any queries on these minutes please contact Diane Rice (414418).