

Minutes of Licensing Committee

Meeting Date: Tuesday, 18 September 2018, starting at 6.30pm
Present: Councillor J Alcock (Chairman)

Councillors:

A Brown	K Hind
S Brunskill	S Hind
M Fenton	S Hore
G Geldard	A Knox
T Hill	N Walsh

In attendance: Solicitor.

276 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors L Graves, R Hargreaves, G Mirfin, G Scott.

277 MINUTES

The minutes of the meeting held on 12 June 2018 were approved as a correct record and signed by the Chairman.

Committee received the minutes of the Licensing Sub-Committee meetings held on 3 July 2018 and 6 August 2018.

278 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

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

279 PUBLIC PARTICIPATION

There was no public participation.

280 REVISITING MEMBER/OFFICER PROTOCOL

The Chief Executive submitted a report for Members to take a further look at the Member/Officer Protocol. One of the recommendations of the Peer Challenge review was that the Council should revisit this Member/Officer Protocol as an opportunity to make suggestions as to how the Protocol could be strengthened or improved.

RESOLVED: That Committee make no changes to the Member Officer Protocol at this time.

281 REVISION OF TAXI LICENSING POLICY AND PROCEDURES FOLLOWING GUIDANCE ON DETERMINING SUITABILITY OF APPLICANTS AND LICENSEES IN THE HACKNEY AND PRIVATE HIRE TRADES

The Chief Executive submitted a report seeking Committee's approval of amendments made to the Taxi Licensing Policy, the Statement of Policy and

Guidelines on Relevant Convictions, and the Licence Conditions of Private Hire Operators and Vehicles.

Committee had previously resolved to adopt the guidance of the Institute of Licensing on determining the suitability of applicants and licensees in the hackney carriage and private hire trades.

The Head of Legal and Democratic Services had reviewed the Council's Policies and Standard Conditions to take the guidance into account, and sought Committee's approval of the proposed amendments.

RESOLVED: That Committee

1. approve the revisions to the documents comprising Appendices 1, 2 and 3 to the report;
2. authorise the Head of Legal and Democratic Services to consult upon the amendments.

282 REVISION OF STATEMENT OF PRINCIPLES GAMBLING ACT 2005

The Chief Executive submitted a report informing Committee of the requirement to review the Council's Statement of Principles Gambling Act 2005 and seeking Committee's authorisation to consult on the proposed amendments.

Members were informed of the legal requirement for the Council to have a Statement of Principles, which had to be reviewed and published every 3 years. The Gambling Commission Licence Conditions and Codes of Practice had been revised to incorporate a requirement for licensed operators of certain gambling establishments to undertake local risk assessments on application for a new premises licence or on application for variation of an existing premises licence and in certain other circumstances. Draft amendments to the Statement of Principles were considered by Committee, together with a draft Local Area Profile which had been prepared to assist applicants and licence holders in preparation of their risk assessments.

RESOLVED: That Committee:

1. approve the draft Gambling Statement of Principles detailed in Appendices 1 and 2 of the report;
2. authorise the Head of Legal and Democratic Services to consult upon the draft between 20 September 2018 and 12 November 2018;
3. receive a report on the results of that consultation.

283 REVIEW OF SCRAP METAL LICENSING POLICY

The Chief Executive submitted a report seeking Committee's approval of draft revisions to the Council's Scrap Metal Dealers' Policy and authorisation of the Head of Legal and Democratic Services to consult upon the draft Policy.

The Scrap Metal Dealers' Act 2013 had come in to force on 1 October 2013, and the Council had introduced its own Scrap Metal Dealers' Policy in March 2015. The legislation provided for the Act to be reviewed after 5 years. However, this review had been brought forward and Members considered the review which had been published in December 2017, reflecting the successful outcomes arising from the legislation and its enforcement.

Members were advised that there were currently 3 licensed mobile collectors and 1 licensed scrap metal site in the Ribble Valley.

The Council's own Scrap Metal Dealers' Policy had been reviewed and amended to reflect legislative amendments.

RESOLVED: That Committee

1. approve the revisions to the Scrap Metal Dealers' Policy;
2. authorise the Head of Legal and Democratic Services to consult upon the revised Policy.

284 REVIEW OF SEX ESTABLISHMENTS LICENSING POLICY

The Chief Executive submitted a report seeking Committee's approval of the revised Policy on the licensing of sex establishments and authorisation for the Head of Legal and Democratic Services to consult on the revised Policy.

The Policy had been approved in March 2012. Although no applications had been received or licenses issued, it was important that the Policy be reviewed to reflect the relevant legislation.

Committee considered draft revisions to the Policy.

RESOLVED: That Committee:

1. approve the revisions to the Council's Policy for the determination of applications for sex establishments;
2. authorise the Head of Legal and Democratic Services to consult upon the revised Policy.

285 REVIEW OF RESPONSE TO CUMULATIVE IMPACT ASSESSMENT SURVEY

The Chief Executive submitted a report informing Committee of the results of the Cumulative Impact Assessment Survey, carried out on a preliminary basis with licensees in Whalley, the Parish Council and Community Groups and other interested parties.

The survey had been conducted due to concerns with regard to the recent proliferation of premises licenced to sell alcohol in Whalley and the effect which this was having on the area.

Members considered an analysis of the 194 responses received. A substantial majority of respondents expressed support for the introduction of restrictions on the number of new premises and the hours at which they could operate, as well as increased controls on the way in which new premises could operate.

Members were also informed of the way in which respondents stated that they had been affected by the impact of the number of licensed premises in the Whalley and Painter Wood Ward.

Committee were informed of the further steps required to collate evidence to establish whether there is a sound evidential basis for any decision to publish a Cumulative Impact Assessment, including consideration of crime and disorder statistics, local anti-social behaviour statistics, health related statistics, environmental health complaints and complaints received by the Local Authority including those from residents or from residents' associations.

RESOLVED: That Committee authorise the Head of Legal and Democratic Services to seek and collate the evidence necessary to create an evidence base and to formally consult upon the proposed Cumulative Impact Assessment for Whalley and Painter Wood as required by the Licensing Act 2003.

286 TAXI ENFORCEMENT OPERATION

The Chief Executive reported on the results of an inspection of licenced private hire and hackney carriage vehicles, carried out on 3 August 2018, in conjunction with the Police and the Vehicle and Operator Services Agency.

Of 12 vehicles tested, 8 were of the required standard. The drivers of 3 vehicles had been served with Delayed Prohibition Notices, requiring work to be carried out on the vehicles within 7 days. Work had been carried out satisfactorily to the 3 vehicles.

The remaining vehicle which had a rear seatbelt which had a loose mounting bolt was issued with a Prohibition Notice and taken off the road with immediate effect. This issue had been rectified.

The Council had issued a press release notifying the public of the results of the operation.

RESOLVED: That the report be noted.

287 NOTES OF THE RIBBLE VALLEY EVENTS SAFETY ADVISORY GROUP DATED 26 JULY 2018

Committee received the minutes of the Ribble Valley Events Safety Advisory Group meeting held on 26 July 2018.

The meeting closed at 6.59pm.

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