



LICENSING COMMITTEE

16:50 – 17:35

4 June 2015

Present: Councillors Button (chair), Price (vice chair following election) Ackroyd, Boswell, Bradford, Henderson, Jones, Maxwell, Price, Sands (M) (substitute for Ryan), Schmierer, Thomas (Vivien) and Woollard.

Apologies: Councillors Coleshill and Ryan

1. Appointment of vice chair

Councillor Ben Price was elected as vice chair.

2. Declarations of interest

No declarations of interest were received.

3. Minutes

RESOLVED to approve the minutes of the meeting held on 23 March subject to noting that councillor Gihawi was not present.

4. Licensing Act 2003: Deregulation Act 2015 and the Legislative Reform (Entertainment Licensing) Order 2014

The licensing manager advised members that the figure of 50021 under paragraph 5 of the report should read 500.

In response to a member's question, the licensing manager explained that this order was primarily aimed at community type events. He said that the change to live music regulations could lead to increased work for the environmental protection team in terms of noise nuisance; however, he said that an exemption from a live music licence did not mean exemption from noise nuisance.

He explained that in terms of personal licences, it was the duty of the court to suspend or revoke these in relation to any offences caused. If a personal licence was revoked by the court, the applicant cannot apply for another five years and would have to declare the revocation which in turn, would trigger a committee hearing.

RESOLVED to note the Deregulation Act 2015 and the Legislative Reform (Entertainment Licensing) Order 2014.

5. Deregulation Act 2015 – amendments to the Local Government (Miscellaneous Provisions) Act 1976

In response to a member's question, the licensing manager explained that the three month private hire drivers licence was initially brought in as there had been a shortage of private hire drivers. All private hire and hackney carriage applicants went through the same application process, including a knowledge test. As private hire vehicles had to be pre-booked, it was decided that a simpler knowledge test was not necessary.

He said that his main concern around the grant of a three year licence was the issue of declaring convictions. Currently, licenses were issued for twelve months and drivers had to produce their DVLA licence annually at renewal when any undeclared convictions would be picked up.

Allowing operators to sub-contract a job to another company outside of the district could be confusing for customers. The licensing manager said that clear communications would be needed with customers so that they are aware which taxi is theirs. It was suggested that some information be put onto the council's website to inform potential customers of these changes.

In response to a member's question, the licensing manager reminded members to report the licence numbers of any taxis that fell below their expectations of cleanliness or if the conduct of a driver fell below expected standards.

RESOLVED to:

- a) note the legislative changes,
- b) extend the current term for the grant or renewal of a hackney carriage drivers licence from one year to three years,
- c) extend the current term for the grant or renewal of a private hire drivers licence from one year to three years,
- d) delete the three month private hire driver's licence from the council's licensing portfolio,
- e) require applicants seeking to renew their licence to only produce a medical certificate and a Disclosure and Barring Service enhanced certificate on a three yearly basis in line with the expiry date of their licence,
- f) delegate to officers authorisation to set a revised licence fee for the grant and renewal of a hackney carriage and private hire drivers licence ; and
- g) include information on the council's website regarding the possible sub contraction of taxi bookings.

6. Standing item – regulatory subcommittee minutes

RESOLVED to receive the minutes of the regulatory subcommittee meetings held on held on 13 April 2015 and 11 May 2015.

CHAIR