

Minutes of Licensing Committee

Meeting Date: Tuesday, 16 September 2014, starting at 6.30pm
Present: Councillor J Alcock (Chairman)

Councillors:

P Ainsworth	J Holgate
I Brown	K Horkin
S Brunskill	S Knox
P Dowson	C Ross
R Hargreaves	R Swarbrick
K Hind	M Thomas
S Hirst	

In attendance: Solicitor.

283 APOLOGIES

An apology for absence from the meeting was submitted on behalf of Councillor G Scott.

284 MINUTES

The minutes of the meeting held on 18 March 2014 were approved as a correct record and signed by the Chairman.

285 LICENSING SUB-COMMITTEE HEARINGS

Committee received the minutes of three Licensing Sub-Committees, two held on 23 June 2014 and one on 7 July 2014. These hearings relate to the Derby Arms, Longridge; Bolton-by-Bowland Village Hall and Rendezvous, Whalley.

286 DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

287 PUBLIC PARTICIPATION

There was no public participation.

288 SMOKING OF ELECTRONIC CIGARETTES IN PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLES

The Solicitor asked Committee to consider its response to the consultation upon the amendment of the standard conditions of licence so that the smoking of electronic cigarettes or any other vapour producing smoking device was prohibited when private hire and hackney carriage vehicles were operating.

At Minute 644 of this Committee dated 18 March 2014, Committee had resolved in principle that the standard conditions should be so amended. On 8 April 2014, the Head of Legal and Democratic Services head written to all private hire operators, private hire and hackney carriage drivers and vehicle licence holders to consult them upon these proposed changes. The Council had three responses to this consultation and Committee was therefore being asked to approve the proposed amendment to the standard conditions.

RESOLVED: That Committee authorise the Head of Legal and Democratic Services to amend the standard conditions for private hire and hackney carriage vehicles so that conditions 20E and 19E respectively read “the driver shall (e) not smoke in the vehicle or permit any passenger to smoke in the vehicles (which for the avoidance of doubt shall include smoking or using an electronic cigarette or any other vapour producing smoking device)”.

289 REVISION OF STATEMENT OF LICENSING POLICY

The Solicitor sought Committee’s approval to the revision of the Council’s Statement of Licensing Policy to form the basis of consultation.

She reminded Members that under the Police Reform and Social Responsibility Act 2012 a number of amendments had been made including:

- a licensing authority must now determine and publish its Statement of Licensing Policy every 5 years rather than three;
- the introduction of late temporary event notices; and
- provision for a licensing authority to instigate the review of a premises licence.

Members considered a revised Statement of Licensing Policy but before determining this Policy the Council was required to consult the parties specified in Section 5 of the Act. Committee was asked to consider the draft Policy included as an Appendix to this report and authorise the Head of Legal and Democratic Services to consult upon it as required under Section 5.

RESOLVED: That Committee

1. approve the draft Statement of Licensing at Appendix 1 to this report; and
2. authorise the Head of Legal and Democratic Services to consult upon the draft Statement of Licensing Policy.

290 SCRAP METAL DEALERS POLICY

The Solicitor sought Committee’s approval of the draft Scrap Metal Dealers Policy and to authorise the Head of Legal and Democratic Services to consult upon it. The Scrap Metal Dealers Act 2013 had come into force on 1 October last year. On 17 September 2013, in preparation for this Committee, had approved the fees application form and delegate scheme for the regime and had also authorised the Council’s Solicitor to draft a Policy once that regime had been in place for 3 months.

A draft Policy had now been produced and was included as an appendix to this report. The purpose of the Policy was to provide guidance on the way in which the Council would administer and enforce the requirements of the Act. It was therefore important to consult upon its content before it is implemented and to have arrangements in place for the Policy to be kept up to date. The Council would review the Policy every 5 years.

Committee was therefore asked to consider the contents of the draft Policy and authorise the Head of Legal and Democratic Services to consult upon it with those parties listed in the draft Policy. The results of those consultations would be referred back to this Committee for consideration before they finally considered the draft Policy.

A Member raised an issue of an alleged unlicensed scrap metal dealer operating in Clitheroe. It was agreed that this would be investigated and reported to Committee.

RESOLVED: That Committee

1. approve the draft Scrap Metal Dealers Licence Policy;
2. authorise the Head of Legal and Democratic Services to consult upon that draft Policy.

291 TAXI ENFORCEMENT OPERATION

The Solicitor reported on the results of an inspection of licensed private hire and hackney carriage vehicles held on 19 July 2014.

She reported that of the 22 vehicles inspected 17 had been found to be of the required standard, the driver of one vehicle had been served with a Prohibition Notice requiring him to withdraw his vehicle from operation immediately and four had been served with delayed Prohibition Notices requiring work to be carried out on their vehicles within the next 7 days. All of these notices had been complied with. The results of the inspection and other advice to users of private hire and hackney carriage vehicles had been issued to the press. A copy of the press release was enclosed as an Appendix to this report.

RESOLVED: That the report be noted.

292 MINUTES OF RIBBLE VALLEY SAFETY ADVISORY GROUP

Committee received minutes from the Ribble Valley Safety Advisory Group which had met on Wednesday, 9 July 2014.

The meeting closed at 6.50pm

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