

## Minutes of Licensing Committee

Meeting Date: Tuesday, 17 March 2015, starting at 6.30pm  
Present: Councillor J Holgate (Chairman)

Councillors:

P Ainsworth	C Ross
S Brunskill	G Scott
R Hargreaves	R Swarbrick
K Hind	M Thomas
S Hirst	

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

Not in attendance: Councillors P Dowson, K Horkin and S Knox.

### 643 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors J Alcock and I Brown.

### 644 MINUTES

The minutes of the meeting held on 4 November 2014 were approved as a correct record and signed by the Chairman.

### 645 MINUTES OF LICENSING SUB-COMMITTEES HELD ON 20 NOVEMBER AND 10 DECEMBER 2014

Committee received the minutes of the Licensing Sub-Committee's in respect of the Assheton Arms, Downham and Brady's Whalley held on 20 November and 10 December 2014 respectively.

### 646 DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

### 647 PUBLIC PARTICIPATION

Committee received Mr K Fox from LMC Transport who was given permission to address Committee on the company's problems with recruiting drivers because of the Council's requirement for all drivers to complete the Steering for Success course. He gave details of how the delays in drivers attaining the Steering for Success qualification was adversely affecting his business and asked Committee to reconsider its policy on this matter.

### 648 REMOVAL OF PROVISION OF TEMPORARY PRIVATE HIRE DRIVERS LICENCE

Committee moved this item forward on the agenda in view of the above public participation. They considered the report of the Council's Solicitor who referred to the representations which had been received from LMC Transport Ltd.

However the Solicitor commented within her report that whilst the operators concerns were noted, the Council's role as Licensing Authority was to ensure the safety of the public and she reminded Committee that the provision for temporary licences was removed because there was evidence of a large number of those applying for them not completing either the Steering for Success course and/or passing the Council's knowledge test.

Members then discussed this matter in some detail and expressed some sympathy with the situation of this particular company. The Solicitor and Head of Legal and Democratic Services also gave their views on this matter.

RESOLVED: That a working group, consisting of Chairman and two other Members of this Committee, be set up to investigate alternative testing requirements for private hire and hackney carriages to those currently in place, that the Head of Legal and Democratic Services be authorised to consult upon the working groups findings with the results being reported back to the next meeting of this Committee.

#### 649 CONSULTATION ON REVISION OF STATEMENT OF LICENSING POLICY

The Council's Solicitor informed Committee of the results of the consultation and sought approval from Committee for the adoption of the Council's revised Statement of Licensing Policy. Members were reminded that in September 2014, Committee had approved the revision of the Statement of Licensing Policy to form the basis of a consultation. The consultation had commenced on 22 September 2014 with a deadline for responses by 15 December 2014.

She reported that one response had been received from Ribchester Parish Council which raised a number of issues including the separation of licensing and planning functions, the section on temporary events requiring clarification, the reference to relatively small events and a further query about the type of events which would be covered by a temporary event notice. The Solicitor dealt with each of the issues raised and explained that as a consequence the definition of a temporary event notice had been amended slightly.

RESOLVED: That Committee adopt the Statement of Licensing Policy at Appendix 3 to this report.

#### 650 SCRAP METAL DEALERS' POLICY

The Council's Solicitor informed Committee of the results of the consultation process which had been undertaken in relation to the Scrap Metal Dealers' Act Policy. A draft policy had been produced and approved in principle by Committee in September 2014 to form the basis of consultation. Committee were advised no responses had been received to the consultation.

Members then discussed the general thrust of the Scrap Metal Dealers' Act and welcomed its attention to an area which had been under regulated in the past.

RESOLVED: That Committee adopt the Scrap Metal Dealers' Policy enclosed at Appendix 1 to this report.

#### 651 DISCLOSURE AND BARRING SERVICE AND DRIVERS' LICENCE CHECKS

Committee's approval was sought to consult licence holders in relation to two changes to the process of licensing drivers namely:

1. the use of third party to carry out disclosure and barring service checks; and
2. additional drivers licence checks.

Committee were informed that the Council currently required all applicants for a driver's licence both private hire and hackney to provide details of their disclosure and barring service (formerly Criminal Record Bureau) status. The Council had recently been notified that the DBS service may be withdrawn from users who make a low number of applications each year.

In relation to drivers' licences from 8 June 2015, the paper counterpart to the photocard driving licence would not be valid and will no longer be issued by DVLA. The counterpart was introduced to display drivers licence details that could not be included on the photocard; these details included vehicle categories a driver was entitled to drive and any endorsement/penalty points.

At present the Council had sufficient applications both in relation to drivers and in relation to staff to maintain its user status, however should that situation change, other arrangements would have to be made. The service provider would charge a fee for this work and the Council would either have to pay a fee or pass it on to applicants.

In relation to driver checks, the Council had also been asked to consider whether as part of the application process, it should make more detailed checks about the validity of drivers' licence documents submitted. At present the paper counterpart gave detailed information and staff compare existing and old licences where possible to ensure consistency. The abolition of the counterpart would reduce the Council's ability to check the drivers' history, hence the proposal to introduce further checks. There would be a cost to carrying out this work probably in the region of £5. Before any decision was made it would be appropriate to seek the views of licence holders.

RESOLVED: That Committee consult licence holders in relation to:

1. potential changes to the DBS checking process and the associated costs; and
2. the introduction of an additional check on drivers' licences and the associated costs.

652 RIBBLE VALLEY SAFETY ADVISORY GROUP

Committee received the notes from the meeting of the Ribble Valley Safety Advisory Group dated Thursday, 5 February 2015.

RESOLVED: That those notes be noted.

The meeting closed at 7.10pm

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