

Minutes of Licensing Committee

Meeting Date: Tuesday, 3 November 2015, starting at 6.30pm
Present: Councillor J Alcock (Chairman)

Councillors:

S Atkinson	R Hargreaves
I Brown	S Hirst
S Brunskill	J Holgate
P Elms	G Scott
M Fenton	J White

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

414 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors G Geldard and S Knox.

415 MINUTES

The minutes of the meeting held on 15 September 2015 were approved as a correct record and signed by the Chairman.

416 DECLARATIONS OF INTEREST

There were no declarations of interest at the meeting.

417 PUBLIC PARTICIPATION

There was no public participation.

418 SAFEGUARDING AND CHILD SEXUAL EXPLOITATION

The Chairman introduced Inspector Baxter from Lancashire Constabulary Public Protection Unit to Committee. He gave a presentation to Committee, seeking to raise awareness of Child Sexual Exploitation (CSE) and the reasons that it is important that private hire and hackney carriage drivers be aware of the issues and receive training. He outlined the range of circumstances in which CSE can arise, and identified the categories of victims, including in particular, some of the most vulnerable people aged under 18. He explained the various means in which offenders can carry out or prepare to carry out offences, both by contact and over the internet, and the powers available to Police to seek to confront offending behaviour. This applied even where the potential victim denied that an offence had occurred, and the Police sought to take preventative action with the alleged or potential offender.

As far as private hire and hackney carriage drivers were concerned, the Police were anxious to address the risk of offending behaviour by drivers, and also to educate them to raise awareness of risk factors for passengers. The Police sought to ensure that drivers should take a moral and social responsibility for

their passengers, and be educated to report concerns about inappropriate behaviour. Amendment to Section 59 of the Sexual Offences Act 2003 relating to trafficking makes it an offence to facilitate, including transporting, where the driver knows that the purpose is CSE. The Police are seeking to educate all 20,000 private hire and hackney carriage drivers in Lancashire.

Inspector Baxter was thanked for his presentation and left the meeting.

The Chief Executive submitted a report seeking Committee's approval for the introduction of mandatory training and testing of all private and hackney carriage drivers on issues surrounding CSE. The Committee considered whether testing as well as training should be mandatory and the process to ensure that training (and, if appropriate, testing) would be undertaken by existing licence holders as well as new applicants.

RESOLVED: That Committee

1. approve the introduction of mandatory training and testing for all private hire and hackney carriage drivers on issues surrounding child sexual exploitation; and
2. authorise the Head of Legal and Democratic Services to determine the specific requirements of such training and testing and to vary this based on guidance received from the Government, the Police or other relevant body.

419 REVISION OF STATEMENT OF LICENSING POLICY – LICENSING ACT 2003

The Chief Executive submitted a report informing Committee of the outcome of consultation and seeking approval for the adoption of the revision to the Council's Statement of Licensing Policy. The Solicitor reported one response had been received to the consultation, since preparation of the report, from Whalley Parish Council, drawing attention to the ranking of Whalley in the Core Strategy and that it had been consulted on one application to vary a licence but not on others. The Solicitor also stated that there had been an amendment of contact details for the Fire Authority as Responsible Authority since preparation of the draft statement. The Solicitor confirmed that the introduction section of the policy would be amended to include reference to Whalley as the third principal settlement in the Ribble Valley and that Parish Councils were not consulted on licensing applications because they were not Responsible Authorities.

Committee were advised that neither of these issues required further consultation to be undertaken as they did not form part of the policy section of the document.

*** RESOLVED: That Committee approve the Statement of Licensing Policy at Appendix 2 to the report and refer it to Full Council with a recommendation that it be adopted including those amendments referred to above. ***

420 ANNUAL FEES AND CHARGES

The Chief Executive submitted a report requesting Committee to determine the annual and other fees for hackney carriage, private hire, scrap metal and sex establishment licences.

The Solicitor set out the legislation under which such licences were approved, and the need to ensure that fees charged for licences fund part of the Council's service, and should reflect costs incurred whilst being set at a reasonable level for licence holders.

She commented that in recent years licence fees had been increased in line with current inflation rates. Committee were also invited to consider setting fees for private hire and hackney carriage drivers' licences and private operators' licences for a standard duration of 3 years and 5 years respectively (or for such lesser period as the Council deemed fit in the circumstances of the case). In recommending uplifting current rates, the Council had in mind the current level of inflation, based on the underlying charging assumptions remaining unchanged.

In relation to scrap metal dealers' licences, she commented that these had now been in place for 2 years, and 8 licences had been issued. The Council did not have sufficient evidence therefore to test whether the underlying basis on which the fees were originally calculated required amendment, but propose that these fees be increased by 1.5% as this was the amount by which we were advised that the Council's costs had increased.

In relation to sex establishment licences, these had been in place since 6 September 2011, but the Council had not received any applications to licence a sex establishment within its area. There was therefore no information to suggest that the underlying basis for the calculation of fees should be changed. The Council proposed to increase those fees by 1.5% as again this was the amount by which we were advised that Councils' costs had increased.

RESOLVED: That Committee agree the following fees:

TAXI LICENSING CHARGES			
PRIVATE HIRE & HACKNEY CARRIAGE	2015 from 1 April	New licence durations pursuant to Section 10 of the Deregulation Act 2015	2016 from 1 April
	£		£
Driver's application/renewal annual Licence	58.00		58.90
Driver's application/renewal 3 year licence	-	153.70	156.10
Replacement Driver's Badge	11.85		12.05
Vehicle Licences:			
ANNUAL – Up to 3 years old	162.28		164.75

6 MONTHS – Over 3 years but not exceeding 7 years	85.95		87.25
4 MONTHS – Over 7 years	61.20		62.15
Discount on previous Licence (1/12 th annual)	13.50		13.70
Transfer on Licence ownership	23.75		24.15
New or replacement:			
Plates	At cost plus		15.00
Brackets	10% admin		15.00
Private Hire Operators annual licence	150.40 per annum for 5 vehicles or fewer, thereafter £11.75 per vehicle		152.70 per annum for 5 vehicles or fewer, thereafter £11.95 per vehicle
Private Hire Operators 3 year licence		398.60 for 5 vehicles or fewer, thereafter £31.10 per vehicle	404.70 for 5 vehicles or fewer, thereafter £31.58 per vehicle
Private Hire Operators 5 year licence	-	664.30 for 5 vehicles or fewer, £51.90 thereafter per vehicle	674.50 for 5 vehicles or fewer, £52.80 thereafter per vehicle
Change to Operators Licence	11.25		11.45
Log books (100 sheets) each	1.60		1.65
Knowledge test – first one free - paper	7.55		7.70
- in person	15.10		15.35

SCRAP METAL DEALER LICENCE		
	From 1 April 2015	From 1 April 2016
	£	£
Application/Renewal of Site Licence	282.55	286.80
Variation of Site Licence	183.60	186.35
Application/Renewal of Collector's Licence	204.00	207.10
Variation of Mobile Collector's Licence	163.20	165.65

SEX ESTABLISHMENT LICENCE		
	From 1 April 2015	From 1 April 2016
	£	£
Grant of Sex Shop	3,060.00	3,105.90
Grant of Sex Cinema	3,060.00	3,105.90
Grant of Sexual Entertainment Venue	5,100.00	5,176.50
Renewal of Sexual Entertainment Venue	2,550.00	2,588.25
Transfer of Sexual Entertainment Venue	510.00	517.65
Variation of Sexual Entertainment Venue	510.00	517.65

The meeting closed at 8.05pm.

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