

Minutes of Licensing Committee

Meeting Date: Tuesday, 30 January 2018 starting at 6.30pm
Present: Councillor J Alcock (Chairman)

Councillors:

| | |
|--------------|-----------|
| A Brown | S Hind |
| S Brunskill | J Holgate |
| P Elms | S Hore |
| M Fenton | A Knox |
| L Graves | G Mirfin |
| R Hargreaves | G Scott |
| K Hind | |

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

567 APOLOGIES

There were no apologies for absence from the meeting.

Councillor G Geldard was not in attendance at the meeting.

568 MINUTES

The minutes of the meeting held on 14 November 2017 were approved as a correct record and signed by the Chairman.

Committee received the minutes of the Licensing Sub-Committee held on 18 December 2017.

569 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

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

570 PUBLIC PARTICIPATION

There was no public participation.

571 PROPOSED CHANGES TO REQUIREMENTS FOR APPLICATION FOR PRIVATE HIRE AND HACKNEY CARRIAGE LICENCES (NVQ QUALIFICATION)

The Chief Executive submitted a report, advising Members of issues that had arisen with regard to the requirement, introduced from 1 April 2016, for all applicants for a private hire drivers licence or a hackney carriage drivers licence to have passed the NVQ in Road Passenger Vehicle Driving (Taxi and Private Hire) within one year of the grant of the licence. Applicants had reported on difficulty in enrolment on the course locally and that the cost of the course was prohibitive for some applicants. An alternative was a BTEC qualification in

Introduction to the Role of the Professional Taxi and Private Hire Driver, which was available at a lower cost. This was a lesser qualification which could lead to the NVQ.

Members were informed of the qualifications required by certain neighbouring authorities, and that, in the event of the adoption of the requirement for the BTEC being unsatisfactory, the position could be reviewed.

RESOLVED: That Committee

- 1, approve the removal of the requirement for applicants for a private hire or hackney carriage drivers licence to pass the level 2 NVQ in Road Passenger Vehicle Driving (Taxi and Private Hire) within 12 months of the licence being granted; and
2. approve the introduction of a requirement that all applicants with a private hire or hackney carriage drivers licence must pass the BTEC – Introduction to the Role of the Professional Taxi and Private Hire Driver – within 12 months of the licence being granted. This will apply to any applicant or licence holder not yet enrolled on an NVQ course.

572 NOTES OF RIBBLE VALLEY SAFETY ADVISORY GROUP DATED 18 JANUARY 2018

Committee received the minutes of the meeting of the Ribble Valley Safety Advisory Group meeting held on 18 January 2018.

573 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the following items of business being exempt information under Category 1 of Schedule 12A of the Local Government Act 1972 the press and public be now excluded from the meeting.

574 ENFORCEMENT AND COMMUNITY ALCOHOL PARTNERSHIP

The Chief Executive submitted a report for Committee's information on licensing enforcement activities carried out by the Council and the Community Alcohol Partnership, which had been established to tackle underage drinking and anti-social behaviour.

As part of the Community Alcohol Partnership activity, Lancashire Police and Lancashire County Council Trading Standards had carried out test purchases aimed at sales of alcohol to persons under 18. These had taken place on the afternoon of 22 December 2017. Members were advised of the outcome of the test purchases, and the training which was being arranged for individuals and designated premises supervisors where the test purchases had resulted in failure.

RESOLVED: That the report be noted.

TAXI LICENSING ENFORCEMENT UPDATE

The Chief Executive submitted a report informing Committee about recent cases which had given rise to formal enforcement action. Members were advised that all applicants for a private hire or a hackney carriage drivers licence must provide a current Disclosure and Barring Service Certificate (DBS Certificate), in relation to previous convictions and other recorded matters. If matters were disclosed, the application would be considered on its merits subject to guidance by the Council's Statement of Policy and Guidance on Relevant Convictions, and a decision made on whether the applicant was a fit and proper person to hold a licence. Current licence holders were under a duty to inform the Council if they were under investigation, charged with an offence or convicted of an offence. Where appropriate, matters would be referred to the Licensing Sub-Committee for decision. The purpose of this report was to give Members examples of situations which arise after a licence is granted, for example information received from other statutory bodies, and how these were dealt with.

Members were advised that, if a decision were to be appealed, there was authority directing the magistrates determining the appeal to apply Ribble Valley Borough Council policy as if it were their own.

Members were informed of four recent cases, by way of illustration of the issues, and the approaches taken by the Council and the magistrates.

RESOLVED: That the report be noted.

The meeting closed at 6.54pm.

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