

Minutes of Licensing Committee

Meeting Date: Tuesday, 10 April 2018, starting at 6.30pm
Present: Councillor S Brunskill (Chairman)

Councillors:

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

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

739 APPOINTMENT OF CHAIRMAN OF THE MEETING

Apologies had been received from the Chairman and Vice-chairman of the Committee. In accordance with Standing Order 3.2, the Committee appointed a Chairman for the meeting from the Members present, and Councillor S Brunskill was appointed in accordance with the approved procedure.

740 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors J Alcock, G Geldard and J Holgate.

741 MINUTES

The minutes of the meeting held on 30 January 2018 were approved as a correct record and signed by the Chairman.

742 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

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

743 PUBLIC PARTICIPATION

There was no public participation.

744 CONSIDERATION OF IMPLEMENTATION OF A CUMULATIVE IMPACT POLICY

The Chief Executive submitted a report, seeking Committee's views on whether consideration should be given to inclusion of a Cumulative Impact Policy (CIP) within the Council's Statement of Licensing Policy. The current Statement of Licensing Policy had been set for the period 2016 to 2021, but could be altered during that period if the necessary procedure was followed. The current Statement of Licensing Policy did not contain any CIP. A CIP could be

appropriate where the number, type or density of premises selling alcohol or providing late night refreshment was high, or where serious problems of nuisance and disorder existed or had begun to arise outside or some distance away from those premises.

A CIP, if adopted, did not act retrospectively to affect existing licenced premises and their current conditions, but created a rebuttable presumption against the grant of a new licence or variation of an existing licence, if a responsible authority or other person had made a relevant representation in response to the application.

Concern had been expressed by members of the public and a Ward Councillor about recent proliferation of premises licensed to sell alcohol in Whalley, and the effect which this was having on the area.

Members considered the information available with regard to the situation in Whalley and the possible implications throughout the borough if a CIP was included in the Statement of Licensing Policy. Members also considered the possible geographical boundaries of the area which might reasonably be covered by a CIP, taking into account the specific issues which had been raised.

RESOLVED: That Committee

1. authorise the Head of Legal and Democratic Services to make enquiries of the responsible authorities to assess whether there is sufficient evidence to support a cumulative impact policy for Whalley and the area to which the policy would relate;
2. consult informally with licensees in Whalley, the Parish Council and community groups; and
3. report back to Committee with recommendations based on the responses received.

745 NATIONAL DATABASE FOR TAXI DRIVERS AND PROPOSED LEGISLATION

The Chief Executive submitted a report, seeking Committee's views on whether the Council should subscribe to the National Database for Taxi Drivers and join the National Anti-Fraud Network. Currently there was no national database of taxi drivers or private hire drivers and so there was no way to check on whether applicants had previously had a licence revoked or application refused by a Council in another area, apart from the requirement for the applicant to disclose this information themselves on the application form.

The Local Government Association had proposed a voluntary national database to allow member Councils to record refusal of an application or revocation or suspension of a licence and to search for such information in relation to applicants. The National Anti-Fraud Network had been commissioned to establish and host the register.

The cost of membership of the National Anti-Fraud Network was £1,050 per year, although this could be recovered from licence fees if the membership was used for this initiative alone.

RESOLVED: That Committee authorise the Head of Legal and Democratic Services to arrange that the Council sign up to the national database and join the National Anti-Fraud Network.

746 RELAXATION OF LICENSING HOURS FOR ROYAL WEDDING

The Chief Executive submitted a report informing Committee of the national relaxation of licensing hours on 19 and 20 May 2018, on the occasion of the marriage of Prince Harry and Meghan Markle. The consultation had been carried out and an Order under Section 172 of the Licensing Act 2003 would be made, extending opening hours nationally to 1am on Saturday, 19 May 2018 and 1am on Sunday 20 May 2018 (ie Friday and Saturday night extensions) for the sale of alcohol for consumption in licensed premises in England Wales.

RESOLVED: That the report be noted.

747 TAXI LICENSING ENFORCEMENT OPERATION

The Chief Executive reported on the results of an inspection of licensed private hire and hackney carriage vehicles, carried out on 9 March 2018, in conjunction with the Police and the Vehicle and Operator Services Agency.

Of 10 vehicles tested, 6 were of the required standard. The drivers of 3 vehicles had been served with delayed Prohibition Notices, requiring work to be carried out on the vehicles within 7 days. Work had been carried out satisfactorily to 2 vehicles, but one had not had the work carried out and the licence had been suspended pending completion of the work.

The remaining vehicle, with 2 tyres having tread below the legal limit, was issued with a Prohibition Notice and taken off the road with immediate effect.

A press notice had been issued, notifying the public of the results of operation.

RESOLVED: That the report be noted.

The meeting closed at 7.21pm.

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