

## Minutes of Licensing Committee

Meeting Date: Tuesday, 12 June 2018 starting at 6.30pm  
Present: Councillor J Alcock (Chairman)

Councillors:

A Brown	S Hind
S Brunskill	S Hore
M Fenton	A Knox
G Geldard	G Mirfin
L Graves	G Scott
R Hargreaves	N Walsh
K Hind	

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

Not in attendance: Councillor P Elms.

### 63 APOLOGIES

There were no apologies for absence from the meeting.

### 64 MINUTES

The minutes of the meeting held on 10 April 2018 were approved as a correct record and signed by the Chairman.

### 65 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

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

### 66 PUBLIC PARTICIPATION

There was no public participation.

### 67 GUIDANCE ON DETERMINING SUITABILITY OF APPLICANTS AND LICENSEES IN THE HACKNEY AND PRIVATE HIRE TRADES

The Chief Executive submitted a report seeking Committee's views on the adoption of the guidance issued by the Institute of Licensing on determining suitability of applicants and licensees in the hackney and private hire trades. This had been produced in conjunction with the Local Government Association, Lawyers in Local Government and the National Association of Licensing and Enforcement Officers, following widespread consultation.

The Guidance had been produced as there is no recent statutory or ministerial guidance on how Committees, Sub-committees and/or officers should make a determination on whether an applicant or licensee was a 'fit and proper person'. The Guidance now issued was intended to produce greater consistency between

authorities, so that there was less opportunity for applicants to swop between different authorities with differing policies.

The current policies issued by the Council have been reviewed against the guidance, and largely mirrored the guidance on the majority of issues. There were some variations, such as a requirement for DBS checks for vehicle licence holders and the imposition of a condition requiring private hire operators to check the suitability of those whom they employ in the office taking bookings.

Members were advised that specific changes to policy would be brought back to Committee and that it would be likely that alteration to policy with regard to existing operators would apply to their next renewal in 2019.

RESOLVED: That Committee adopt the Guidance and authorise the Head of Legal and Democratic Services to review the policy for licensing and hackney carriage drivers and vehicles, private hire operators, drivers and vehicles, the statement of policy and guidelines on relevant convictions, Council's licensing conditions and its procedures to ensure that there was a consistent approach to that advocated in the Guidance.

#### 68 REVISED GUIDANCE UNDER SECTION 182 OF THE LICENSING ACT 2003

The Chief Executive submitted a report for Committee's information on the most recent guidance issued by the Home Office to licensing authorities under the Licensing Act 2003 on the discharge of their functions. Additional paragraphs had been inserted into the earlier guidance with regard to entitlement to work in the UK, introduction of consistency with regard to beer gardens and other outdoor spaces, and removal of the heightened status for the police in making representations under the Crime and Disorder Licensing objective. Further guidance had been issued on resolution of appeals out of court, including notification of parties who had made representations on the original application.

There had been revision of the section with regard to cumulative impact policies, and a new section had been introduced entitled 'reviewing the cumulative impact assessment'. These revisions had been taken into account in preparation of the current consultation by the Council with regard to the Whalley area.

RESOLVED: That Committee note the report.

#### 69 NOTES OF THE RIBBLE VALLEY SAFETY ADVISORY GROUP DATED 19 MARCH 2018 AND 24 MAY 2018

Committee received the minutes of the meeting of the Ribble Valley Safety Advisory Group meetings held on 19 March 2018 and 24 May 2018.

The meeting closed at 6.44pm.

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