

Licensing and Public Safety Committee

Wednesday, 16 September 2009

Present: Councillor Keith Iddon (Chair), Councillor Pat Haughton (Vice-Chair) and Councillors Judith Boothman, David Dickinson, Anthony Gee, Hasina Khan, Adrian Lowe, Marion Lowe, Thomas McGowan, Debra Platt and Ralph Snape

09.LPS.22 WELCOME

The Chair welcomed everyone present to the meeting.

09.LPS.23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Terry Brown, Magda Cullens, Doreen Dickinson, Edward Smith, John Walker and Stella Walsh.

09.LPS.24 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest submitted by the Sub-Committee Members.

09.LPS.25 MINUTES

The minutes of the meeting of the Licensing and Public Safety Committee held on 10 June 2009, be confirmed as a correct record and signed by the Chair.

09.LPS.26 MINUTES OF THE LICENSING SUB-COMMITTEES

The Committee was informed that there was a correction to the date of the Sub-Committee reported as the 14 August 2009. The hearing took place on 17 August 2009.

The minutes of the Licensing Sub Committees held on 25 June 2009, 5 August 2009, 17 August 2009, 25 August 2009 and 2 September 2009 be confirmed as correct records and signed by the Chair.

09.LPS.27 AMENDMENT TO THE SCHEME OF DELEGATION

The Committee considered a report of the Corporate Director (Governance) that proposed alterations to the Council's Scheme of Delegation to delegate to the Corporate Director (Neighbourhoods), in consultation with the Chair of Licensing and Public Safety Committee, the authority to make decisions to grant Hackney Carriage and Private Hire Drivers' Licence applications in limited circumstances.

Members of the Committee were reminded that under the terms of the current scheme of delegation all applications for Drivers' licences where the application does not comply with Council Policy must go before a General Licensing Sub-Committee. This had led to inappropriate matters being brought before the Sub-Committee, which had been frustrating to Committee members when the matter was the only agenda item.

The proposed alterations to the Scheme of Delegation would allow for more efficient resolution of Drivers' Applications and would prevent the convening of Sub-Committee's to consider straight forward applications. The main disadvantage would be reduced member input into these applications. Applications the Corporate Director (Neighbourhoods) felt unable to grant would still have the right to be heard by the Sub-Committee.

The report also proposed changes to the current briefing meetings for Licensing and Public Safety Committee as a combined consideration of delegated applications, agenda setting and briefing for the Sub-Committee meeting. It had been proposed to move the briefing meetings to an earlier date than the date of the Sub-Committee to enable the Corporate Director (Neighbourhoods) to consult the Chair of the Licensing and Public Safety Committee on the exercise of delegation and where it had been decided not to use delegated powers those matters could go forward to the next Sub-Committee's.

It was further proposed that the Corporate Director (Neighbourhoods) would bring a report to each Licensing and Public Safety Committee detailing the occasion on which discretion had been exercised.

RESOLVED - the Committee agreed by majority decision (10:1) to approve:

- 1. the delegation to the Corporate Director (Neighbourhoods) in consultation with the Chair of Licensing and Public Safety Committee the authority to approve applications for Driver's Licences (either Hackney Carriage or Private Hire Vehicles) which fall outside the Council's usual policies for approval.**
- 2. the alteration for the arrangements for Licensing Sub-Committee briefings as a combined consideration of delegated applications, agenda settings and briefing for the Sub-Committee meeting.**
- 3. the Corporate Director (Neighbourhoods) to report to each Licensing and Public Safety Committee details of the occasions when discretion had been exercised.**

09.LPS.28 HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING CONDITION - REVIEW

The Committee considered a report from the Corporate Director (Neighbourhoods) on progress made since the introduction of revised Hackney Carriage and Private Hire Vehicle Licensing conditions and seek permission to review them.

Simon Clark advised the Committee since its implementation, the new conditions had led to increased beaurocracy which had resulted in several representations from the licensed taxi trade and had seen an increase in the administrative burden placed on Licensing Team in dealing with new requirements.

Simon Clark suggested that the review of conditions would ensure that the Council would be actively seeking to reduce the regulatory burden on businesses whilst ensuring the Councils' public safety remit while providing an efficient administrative process in the processing and issuing of hackney carriage and private hire vehicle licences.

There was a short discussion and Members of the Committee were reassured that the increased administrative burden was not attributed to any posts of the former Licensing Team being made redundant due to a recent review and was

recognised as an issue prior to the transfer of the Licensing function from Corporate Governance to Neighbourhoods Directorate.

The review is expected to last four weeks, and the findings will be presented to the next meeting with any proposed changes for members' consideration.

RESOLVED – the Committee unanimously agreed:

- 1. the review the Hackney Carriage and Private Hire Vehicle Licensing conditions review, in consultation with the trade with the purpose to reduce the regulatory burden on business, increase administrative efficiency within the Council and maintain the public protection that the licensing regime provides.**
- 2. the results of the consultation be brought back before the next Committee.**

09.LPS.29 LICENCE LIAISON PANEL - REVIEW

The Committee considered a report from the Corporate Director (Neighbourhoods) which sought Members' approval to review the current arrangements for liaison with the licensed trade in Chorley.

Members of the Committee were informed that the Licence Liaison Panel met on a quarterly basis to provide a forum for all businesses subjected to the Councils licensing regime. The Committee were informed that recently the panel had been predominantly exercised on issues related to hackney and private hire issues with other business types not having the chance to raise issues relating to their business.

It was expected that the review would take twelve weeks, the results of which would be brought before a future Committee.

RESOLVED – the Committee unanimously agreed to:

- 1. the review of the current liaison arrangements with the licensed trade in Chorley to provide a forum which is fit for purpose and contributes to the licensing objectives.**
- 2. the results of the review to be brought back to a future Committee.**

09.LPS.30 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT

Summary of Activity

Simon Clark advised that the standard item that gave information about the work of the Licensing Team had been omitted from this agenda as it was felt that although the previous reports had been difficult to research the Committee did not receive adequate information from the report to reflect the work of the Team.

Members were informed that a full and more detailed report was produced on a quarterly basis which not only provided information of the work the Licensing Team it also gave details of the outcomes. It was proposed that this report would be brought before future Committees on a quarterly basis.

RESOLVED – the Committee unanimously agreed to change the reporting arrangements detailing the activity of the Licensing Section.

Chair