

Licensing and Public Safety Committee

Wednesday, 14 September 2011

Present: Councillor Stella Walsh (Chair), Councillor Keith Iddon (Vice-Chair) and Councillors Terry Brown, David Dickinson, Doreen Dickinson, Hasina Khan, Paul Leadbetter, Marion Lowe, Mick Muncaster, Steve Murfitt, Beverley Murray, Pauline Phipps, Alan Platt, Debra Platt, Dave Rogerson, Ralph Snape and John Walker

Also in attendance: Paul Carter (Public Protection Co-ordinator), Alex Jackson (Senior Lawyer) and Dianne Scambler (Democratic and Member Services Officer)

11.LPS.19 APOLOGIES FOR ABSENCE

There were no apologies for absence.

11.LPS.20 DECLARATIONS OF ANY INTERESTS

Item 6 - Councillor Ralph Snape declared a personal interest

11.LPS.21 MINUTES

RESOLVED – That the minutes of the Licensing and Public Safety Committee meeting held on 8 June 2011 be held as a correct record for signing by the Chair.

11.LPS.22 MINUTES OF THE LICENSING SUB COMMITTEES

(a) **Licensing Act 2003 Sub-Committee - 18 July 2011**

RESOLVED – That the minutes of the Licensing Act 2003 Sub Committee meeting held on 18 July 2011 be held as a correct record for signing by the Chair.

11.LPS.23 INTERNAL AUDIT REPORT - LICENSING FUNCTION

The Committee received a report informing them of a recent internal audit that had been undertaken on the Council's Licensing function and provided reassurance that the service operated with adequate controls in place.

The Council's Licensing function had been subject to an internal audit in May/June 2011 and the report included a management action plan that identified key areas where service could be improved and where greater controls could be implemented to raise the level of governance.

The Public Protection Co-Ordinator outlined the information contained within the action plan for the benefit of Members.

RESOLVED – That the report be noted.

11.LPS.24 LICENSING PERFORMANCE REPORT - 1 APRIL TO 31 AUGUST 2011

The Committee received a report detailing the performance of the Councils licensing function during the period 1 April – 30 August 2011 which included information relating to the following areas:

- General Licensing
- Taxi Licensing
- Licensing Act 2003
- Gambling Act 2005

The report also contained information on the House to House Collections and Street Collection Permit Lists and Members received a verbal report on the enforcement activity that had taken place during the period.

RESOLVED – That the report be noted.

11.LPS.25 TAXI/PRIVATE HIRE DRIVERS MEDICAL EXAMINATION PROCEDURE

The Director of People and Places submitted a report seeking Members approval for changes made to the medical examination procedure for taxi and private hire drivers.

Taxi and private hire drivers are required to undertake a medical examination to demonstrate they are fit to drive. The current medical form requires the applicant to present to a general practitioner (GP) for an assessment of their fitness to drive under DVLA Group 2 standards. Evidence indicates that the majority of GP's may not be experienced or conversant with these complex standards.

The Councils current examination form had been revised by a medical professional competent with Group 2 standards and a copy was attached for members. It proposed that were there was concerns relating to a drivers fitness, highlighted by the GP, the examination form would be referred to a medical professional conversant with DVLA Group 2 standards.

Some Members had concerns that the changes in procedure had not been taken to the Licensing Liaison Panel or comments and a representative of the private hire drivers indicated at the meeting, that he would have preferred that it had been raised at the Licensing Liaison Panel in the first instance.

It was proposed by Councillor Snape, seconded by Councillor Brown to defer the revised medical examination procedure for taxi and private hire drivers, to allow the report be taken to the next meeting of the Licensing Liaison Panel for comments.

An amendment to the motion was proposed by Councillor Debra Platt, seconded by Councillor John Walker to approve the revised medical examination procedure, upon being put to the vote, the motion was lost 7:9.

RESOLVED – That the implementation of the revised medical examination procedure be deferred, to allow the Licensing Liaison Panel to make comments before being brought back to the Committee for approval.

Chair