



Oadby and Wigston Borough Council

TO COUNCILLOR:

G S Atwal
A R Bond
G A Boulter
Mrs L M Broadley
F S Broadley

K Chalk
Miss M V Chamberlain (Vice-
Chairman)
M H Charlesworth
R F Eaton
B Fahey

J Kaufman
Mrs H E Loydall (Chair)
K J Loydall
R H Thakor

Dear Sir/Madam,

I hereby summon you to attend a meeting of the **LICENSING AND REGULATORY COMMITTEE** to be held in the Council Offices, Station Road, Wigston on **WEDNESDAY, 22 JULY 2015 at 7.00 pm** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices
Wigston
14 July 2015

Chief Executive

AGENDA

Page No's

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| 1. | Apologies for Absence | |
| 2. | Minutes of Previous Meeting | 1 - 3 |
| 3. | Introductions | |
| 4. | Licensed Vehicles Insurance Certificates | 4 - 5 |
| 5. | Child Sexual Exploitation (Verbal Update) | |
| 6. | Gambling Act 2005 - Statement of Licensing Principles (Verbal Update) | |

MINUTES OF A MEETING OF THE LICENSING & REGULATORY COMMITTEE HELD AT THE COUNCIL OFFICES, WIGSTON ON THURSDAY 22 JANUARY 2015, COMMENCING AT 7.00 P.M.

IN ATTENDANCE:

Councillor H Loydall – Chair

Councillors: M Chamberlain, M Charlesworth, S Dickinson, J Gore,
J Kaufman, L Kaufman, K Loydall

Officers in Attendance: I Dobson, K Garcha and J Guazzaroni

Min Ref	Narrative	Officer Resp
24.	<u>APOLOGIES FOR ABSENCE</u> G Boulter, L Broadley, F Broadley, R Kanabar	ID
25.	<u>APPOINTMENT OF SUBSTITUTES</u> None.	ID
26.	<u>PETITIONS AND DEPUTATIONS</u> None.	ID
27.	<u>DECLARATIONS OF INTEREST</u> None.	ID
28.	<u>MINUTES OF PREVIOUS MEETING</u> RESOLVED: That the minutes of the previous meeting of the Committee held on 2 October 2014, be taken as read, confirmed and signed.	ID

<p>29.</p>	<p><u>REVIEW OF STATEMENT OF GAMBLING POLICY</u></p> <p>The Committee considered the report of the Head of Corporate Resources as set out on report pages 6 - 21 which should be read in conjunction with these minutes as a composite document.</p> <p>The Licensing and Democratic Officer informed Members that there is a statutory requirement for the Council to consult upon and then publish a statement of Gambling Policy every 3 years.</p> <p>He went on to say that a further report will be brought back to the committee meeting in October 2015 to report back on the consultation and present a revised policy to be recommended to Council for adoption.</p> <p>Cllr J Gore joined the meeting at 7:06pm.</p> <p>RESOLVED: That the Licensing and Democratic Officer be authorised to carry out a statutory consultation in respect of the Council's current Gambling Policy.</p>	
<p>30.</p>	<p><u>RENEWAL OF PERSONAL LICENCES</u></p> <p>The Committee considered the report of the Head of Corporate Resources as set out on report page 22 - 23 which should be read in conjunction with these minutes as a composite document.</p> <p>The Licensing and Democratic Officer informed Members of transitional arrangements for dealing with renewals of personal licences in the period preceding the enactment of the Deregulation Bill 2014, which will remove the requirement to renew every 10 years.</p> <p>He went on to inform Members that the interim renewal process has been amended to remove the requirement to pay a fee upon submitting a renewal application. He stated that the Council will have to bear the cost of administration for around 36 renewal applications.</p> <p>RESOLVED: That the report be noted.</p>	
<p>31.</p>	<p><u>MARKET RIGHTS UPDATE</u></p> <p>The Committee considered the report of the Head of Corporate Resources as set out in report pages 24 – 25 which should be read in conjunction with these minutes as a composite document.</p>	

	<p>Members raised concern in relation to the Market Charter held by the City Council and it was suggested that it impinges upon the right to free trade within the Borough. The Committee discussed the options available to challenge the Market Charter and agreed to start by discussing the matter with the City Council and report back to a future meeting.</p> <p>RESOLVED: That the Licensing and Democratic Officer be instructed to discuss with Leicester City Council a more suitable arrangement for the holding of markets in the Borough.</p>	
<p>32.</p>	<p><u>UPDATE ON THE IMPLEMENTATION OF THE SCRAP METAL DEALERS ACT 2013</u></p> <p>The Committee considered the report of the Head of Corporate Resources as set out in report pages 26 - 29 which should be read in conjunction with these minutes as a composite document.</p> <p>The Committee raised concern about the legislation and in particular the requirements for the identification of mobile collectors which is inadequate. The Chairman requested that the representations are made to the Secretary of State calling for a review of the Act.</p> <p>The Licensing and Democratic Officer informed Members that Officers will be preparing an article the Council's magazine (Letterbox) to give information to residents on how best to identify collection vehicles.</p> <p>RESOLVED: That the report be noted.</p>	

The Meeting Closed at 7:37 p.m.

Agenda Item 4



Licensing and
Regulatory
Committee

23 July 2015

Matter for Decision

Title: **Hackney Carriage & Private Hire Vehicle Insurance**

Author: **Anne Court, Director of Services**

1 Introduction

This report concerns an issue surrounding hackney carriage and private hire vehicle insurances.

2 Background

Unfortunately it is prevalent amongst some of the Council's licensed drivers to only take out weekly insurance policies. No doubt this facility has a positive effect on a driver's financial affairs but it does raise issues with regards to the effective policing of the arrangement. It also causes extra work for the licensing officers who have to continually re-enter data on the computer system.

3 Considerations

Generally insurance policies are taken out for 12 months although when initially purchased a proposer may be given a 28-day cover note. Some drivers, to ease their cash flow, may only pay their premiums on a month by month basis prompting a cover note at each payment date. Several years ago insurance companies would be loath to issue policy certificates for proposers who were paying by instalment. However, with the advent of an industry wide insurance database this appears not be so much of a problem.

4 Information

The Council's Hackney Carriage and private Hire Licensing policy states the following:-

'A Hackney Carriage vehicle must be insured for **public hire and reward**, and as a minimum requirement cover the driver for third party fire and theft and also to include legal liability for passengers and luggage.

A Private Hire vehicle must be insured for **private hire and reward** and as a minimum requirement cover the driver for third party fire and theft and also to include legal liability for passengers and luggage.

The Licensing Authority must be satisfied that the vehicle will remain insured for the 12 month duration of its licence. To this end the following insurance requirements apply.

Upon the first application or renewal of a vehicle licence the applicant must:

- Present an insurance certificate of at least six months or
- A temporary insurance cover note to be followed by an insurance certificate lasting 12 months prior to the cover notes expiry, Or;
- Where the proprietor has an ongoing annual insurance certificate; that certificate.'

In view of this policy statement it is clear that, for whatever reason, officers have, until recently, found it necessary to accept 7 days certificates. However, that necessity seems to have passed and current officers will return to the stated Council policy.

Following its consultation an Equality Impact Assessment will be undertaken.

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Implications	
Financial (AC)	No Significant Implications
Risk (AC)	No Significant Implications
Equalities (AC)	No Significant Implications
Legal (AC)	No Significant Implications