

**MINUTES OF A MEETING OF THE LICENSING & REGULATORY
COMMITTEE HELD AT THE COUNCIL OFFICES, WIGSTON ON
THURSDAY 2 OCTOBER 2014, COMMENCING AT 7.00 P.M.**

IN ATTENDANCE:

Councillor H Loydall – Chair

Councillors: M Chamberlain, J Gore, J Kaufman, K Loydall, R Thakor,
M Charlesworth, L Kaufman

Officers in Attendance: I Dobson, K Garcha and A Ward

Min Ref	Narrative	Officer Resp
12.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>J Boyce, G Boulter, L Broadley, F Broadley, S Dickinson, R Kanabar</p>	ID
13.	<p><u>APPOINTMENT OF SUBSTITUTES</u></p> <p>None.</p>	ID
14.	<p><u>PETITIONS AND DEPUTATIONS</u></p> <p>None.</p>	ID
15.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>None.</p>	ID
16.	<p><u>MINUTES OF PREVIOUS MEETING</u></p> <p>RESOLVED: That the minutes of the previous meeting of the Committee held on 9 July 2014, be taken as read, confirmed and signed.</p>	ID

17.	<p><u>TAXI FORUM – VERBAL UPDATE</u></p> <p>The Chairman provided the Committee with an update about a taxi forum held prior to the Committee meeting, which no-one had attended. It was confirmed that the Legal Officer would consider future options for these forums given the consistently low turnout.</p>	
18.	<p><u>ASSOCIATION OF CHIEF POLICE OFFICERS – LICENSING AWARENESS WEEK</u></p> <p>The Committee considered the report of the Head of Corporate Resources as set out on report page 4 which should be read in conjunction with these minutes as a composite document.</p> <p>The Legal Officer provided a verbal update to the Committee on the night time inspections carried out in partnership with the local police. Members heard that the overall level of compliance was good.</p> <p>Members discussed partnership working and the involvement of Environmental Health in such activities. The Legal Officer advised that the visits had concentrated on key licensing issues which are not within expertise or remit of Environmental Health.</p> <p>A Member emphasised his view that partnership working is a key way of eliminating bureaucracy and ensuring effective co-ordination.</p> <p>The Head of Corporate Resources acknowledged this point and confirmed that partnership working is a key consideration within Licensing, which is a key function of the Corporate Enforcement team and the reason that these inspections had taken place. She went on to explain that in some cases, differing legislative regimes should be considered separately or with a limited number of agencies involved.</p> <p>A Member requested that the outcomes of inspections are reported to future meetings. The Head of Corporate Resources and the Legal Officer advised that this had not been done previously.</p> <p>RESOLVED: That the report be noted.</p>	
19.	<p><u>FEES AND CHARGES 2014/15</u></p> <p>The Committee considered the report of the Head of Finance as set out in report pages 5 – 9 which should be read in conjunction with these minutes as a composite document.</p>	

	<p>A Member asked how much income was received from licensing fees in the past year. The Principal Accountant stated that the information would be circulated after the meeting.</p> <p>RESOLVED: That the scale of charges for 2015/16 be recommended for adoption by Policy, Finance and Development committee.</p>	
<p>20.</p>	<p><u>REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING STATIONS</u></p> <p>The Committee considered the report of the Head of Corporate Resources as set out in report pages 10 - 11 which should be read in conjunction with these minutes as a composite document.</p> <p>The Legal Officer explained that it is recommended that the two current testing stations continue as the only approved testing stations for licensed vehicles.</p> <p>A Member enquired which enforcement powers were available to ensure that licensed vehicles obtained an MOT when they are exempt from holding one under the Local Government (Miscellaneous Provisions) Act 1976.</p> <p>The Legal Officer explained that licensed vehicles are not required to have an MOT but a vehicle test which exceeds the MOT standard. He went on to confirm that failure to obtain such a test would result in the refusal to grant a licence or the suspension of an existing licence.</p> <p>RESOLVED: That the two current testing stations continue as the only approved testing stations for licensed vehicles.</p>	
<p>21.</p>	<p><u>REVIEW OF STATEMENT OF LICENSING POLICY UNDER THE LICENSING ACT 2003</u></p> <p>The Committee considered the report of the Head of Corporate Resources as set out in report pages 12 - 43 which should be read in conjunction with these minutes as a composite document.</p> <p>RESOLVED: That the Policy be recommended to Council for adoption at its meeting on 9 December 2014 to take effect from 1 January 2015.</p>	

12. AMENDMENT TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING POLICY – LICENSED DRIVERS

The Committee considered the report of the Head of Corporate Resources as set out in report pages 44 - 47 which should be read in conjunction with these minutes as a composite document.

The Legal Officer stated that the report requested amendments to the current Policy to include smoking as an offence within the penalty points scheme and to require new applicants to provide a letter from a private hire operator within the Borough to ensure that Hackney Carriages licensed within the Borough operate within the intention of the law and Council Policy.

A Member enquired about the possibility of an automated system for monitoring penalty points.

The Head of Corporate Resources stated that a bespoke system would be disproportionately resource intensive and that the scheme could be effectively monitored by Officers.

Members discussed the issue of Hackney Carriages working for private hire operators outside of the Borough.

The Legal Officer confirmed that the Council's Intended Use Policy provides good protection for ensuring that public safety is upheld within the remit of the Licensing Authority area and the amendment to the Policy would assist in this regards.

RESOLVED: That

1. the proposed amendments to section 2 of the Policy, namely B1 and B2 be approved with immediate effect.
2. the proposed amendments to the penalty points scheme be made and added to the Council's policy.

13. ROAD CLOSURES AND EVENTS POLICY

The Committee considered the report of the Head of Corporate Resources as set out in report pages 48 - 61 which should be read in conjunction with these minutes as a composite document.

The Legal Officer stated that the Policy had already been considered by the Committee in draft format and that consultation responses showed support for the Policy.

The Chairman queried the recommendation of the report which stated that the Policy should be considered by Service Delivery. She went on to say that governance changes indicated that Licensing & Regulatory Committee reported directly to Council.

The Head of Corporate Resources suggested that in view of the need for the Policy to be formally adopted so as to assist members of the public in co-ordinating events in the run up to the Christmas holiday period, that the recommendation be amended to recommend that the Policy be approved at Policy, Finance and Development Committee.

Members debated the arranging of events and the potential for a minority to object to a community event or market.

The Legal Officer stated that the Policy provided a framework for residents and organisers to work within to ensure early preparation, consultation and community engagement which should ensure that events are organised responsibly.

RESOLVED: That the Policy be recommended for adoption by Policy, Finance and Development committee.

The Meeting Closed at 7:55 p.m.