

LICENSING COMMITTEE

Minutes of the Meeting held on 5 July 2017 at 4.30pm

In The Council Chamber, West Somerset House, Williton

Present:

Councillor D Westcott..... Vice-Chairman (In the Chair)

Councillor I Aldridge
Councillor I Jones
Councillor R Thomas
Councillor K Turner

Councillor S Goss
Councillor J Parbrook
Councillor N Thwaites

Officers in Attendance:

Licensing Manager (J Rendell)
Licensing Officer (L Fumagalli-Roberts)
Democratic Services Officer (C Rendell)

LEP1 Apologies for Absence

Apologies were received from Councillors Kingston-James and Venner.

LEP2 Minutes of the meeting held on 15 March 2017

(Minutes of the Meeting of the Licensing Committee held on 15 March 2017 – circulated with the Agenda.)

RESOLVED that the Minutes of the Licensing Committee held on 15 March 2017 be noted.

LEP3 Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Member of	Action Taken
Councillor I Aldridge	All	Williton Parish Council	Spoke and voted
Councillor S Goss	All	Stogursey Parish Council	Spoke and voted
Councillor J Parbrook	All	Minehead Town Council	Spoke and voted
Councillor R Thomas	All	Minehead Town Council	Spoke and voted
Councillor N Thwaites	All	Dulverton Town Council	Spoke and voted
Councillor K Turner	All	Brompton Ralph Parish Council	Spoke and voted
Councillor D Westcott	All	Watchet Town Council	Spoke and voted

LEP4 Public Participation

No members of the public had requested to speak on any item on the agenda.

LEP5 Licensing Update Report

The purpose of the report was to keep the Council's statutory Committee up to date on the activities of the Council's Licensing Service, changes to legislation, current consultations and other general licensing matters.

A summary of the activity and performance of the Licensing Service since the last meeting of the Committee was as follows:-

The performance of the Licensing Service was measured against the number of applications that were completed within 14 days of them being determined. The target was 95%. Between 1 January and 31 March 2017, 99% of applications had been completed within the 14 day timescale.

Members were provided with a comparison of the numbers of applications received for each of the regimes administered by the Licensing Team between January and March and the numbers of licences in force and notices given as at 20 June 2017.

Since 6 April 2017, all applications received for Licensing Act 2003 licences required proof of the right to work in the UK to be provided by the applicant. This applied to the following licences:-

- Personal Licences;
- Grant of Premises Licences;
- Full variation of Premises Licences;
- Transfer of Premises Licences; and
- Interim Authority Notices.

All the forms had been updated and all applications had been sent to the Home Office to be checked.

In March 2017 new guidance had been produced by the Committee of Advertising Practice which had followed a review carried out by the Advertising Standards Agency into misleading advertising practices by private door-to-door collection companies. Problems with charitable collection bags issued by commercial companies had included:-

- Recipients were given the impression they were donating directly to a charity when they were not;
- The companies had not provided their name or commercial status on the front of the collection bags;
- Undue prominence was given to a charity's name and registration number on the collection bags; and
- The company name was not given equal prominence when it appeared alongside a charity's name.

This new guidance provided examples of the type of wording and presentation on the collection bags that accorded with the new rules.

During the discussion the following points were raised:-

- Members praised the department on its hard work and were impressed with the 99% of applications completed within 14 days. They queried how many of these applications were for West Somerset cases and how many were for Taunton Deane?

All of these cases were for West Somerset. Confirmation was also given that the completion rate was the same for Taunton Deane.

- Members queried whether the department cross referenced the proof of ID required for Licensing Act 2003 applications?

Licensing were given guidance from the Home Office which confirmed what documents could be used for proof of ID. Once received, this was then sent to the Home Office to check. Licensing were not required to cross reference the documents provided. The other criteria the applicant would have to fulfil, was to prove the right to work within the UK.

- Members were pleased to hear that the West Somerset and Taunton Deane Licensing Departments were working together to streamline the procedures and policies used by the teams.

- Concern was raised on behalf of the West Somerset Taxi Drivers. They were worried that once the two Councils joined together, the West Somerset Taxi Ranks would be taken over by the larger Taunton Taxi Firms and queried was there a way they could prevent this from happening?

The Licensing Manger had recently held a forum with the Taunton Taxi Drivers and they shared the same fears. He confirmed ultimately it would be for the Committee Members to decide what boundary rules they would want implemented in the new Council. He advised that in Cornwall, which was a Unitary Authority, they had retained the district boundaries for the taxi drivers.

- Members queried why a forum was not held in West Somerset?

It was confirmed that a forum was in the pipeline but the feedback from the taxi drivers in West Somerset was mainly positive compared to that of the drivers in Taunton.

RESOLVED that the update report be noted.

LEP6 Changes to the Licensing Regime of Hackney Carriage and Private Hire Vehicles

The purpose of the report was to consider the Hackney Carriage and Private Hire Licensing Regime for vehicles within West Somerset and the fixed interval and renewal dates for Hackney Carriage and Private Hire vehicle licences.

Hackney Carriage and Private Hire vehicle licences were currently issued for a maximum period of 12 months. Current policy dictated that all Private Hire vehicle licences expired on 30 April and the Hackney Carriage licences expired on 30 June, regardless of when the application was made or when the decision was taken to grant a licence.

The effects of the arrangements were substantial peaks in pressure and demand for the service at times that were often busy with other applications, for example Temporary Event Notices for Spring and Summer time events. The demand upon officer time had the potential to disrupt the performance of the service which could lead to delays in other applications being processed.

During the discussion the following point was raised:-

- Members agreed this change in policy was very sensible and was less liable to legal challenges and would be more efficient for the officers.

RESOLVED that Members approved the proposal to remove the fixed interval and renewal dates for Hackney Carriage and Private Hire Vehicles Licences.

LEP7 Minutes of the Licensing Sub-Committees

(Minutes of the Meeting of the Licensing Sub-Committee held on 28 February 2017– circulated with the Agenda.)

RESOLVED that the Minutes of the Licensing Sub-Committee held on 28 February 2017 be noted for information.

LEP8 Forward Plan

(Forward Plan of the Licensing Committee – circulated with the Agenda.)

Members queried whether they could have more information on the use of diesel and electric vehicles for taxi licences.

RESOLVED that the Forward Plan, with the suggested item, be noted.

(The meeting closed at 4.55pm.)