

LICENSING COMMITTEE

Minutes of the Meeting held on 8 March 2016 at 4:30pm

In The Council Chamber, West Somerset House, Williton

Present:

Councillor R P Lillis Chairman

Councillor H Davies
Councillor B Leaker
Councillor R Thomas
Councillor K Turner

Councillor I Aldridge
Councillor J Parbrook
Councillor N Thwaites
Councillor Westcott

Officers in Attendance:

Licensing Manager (J Rendell)
Licensing Officer (L Fumagalli-Roberts)
Temporary Licensing Assistant (S Attfield)
Democratic Services Officer (E Hill)

LEP13 Apologies for Absence

Apologies were received from Councillor Hall

LEP14 Minutes of the meeting held on 24 November 2015

(Minutes of the Meeting of the Licensing Committee held on 24 November 2015 (as approved by Full Council on 16 December 2015) – circulated with the Agenda.)

RESOLVED that the Minutes of the Licensing Committee held on 8 March 2016 be noted.

LEP15 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 S Goss	All	Stogursey Parish Council	Spoke and voted
Councillor D Westcott	All	Watchet Parish Council	Spoke and voted
Councillor N Thwaites	All	Dulverton Town 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 K Turner	All	Brompton Ralph Parish Council	Spoke and voted
Councillor H Davies	All	Somerset County Council	Spoke and voted

LEP16 Public Participation

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

LEP17 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.

The Licensing Manager presented the report which contained details of the Licensing Service's activity since the last meeting of the Committee as well as updating Members on the backlog of applications and updating the Members on the staff appointments that had been made.

Enclosed with the reports was data comparison concerning the numbers of applications received for each of the regimes administered by the Licensing Team between October and December and the numbers of licenses in force and notices given at 15 February 2016.

During the discussion the following points were raised:-

- Chairman and Cabinet Member attended a Licensing Summit organised by the Licensing Team. This had been informative and enlightening for the Committee Members in understanding the current situation within the Licensing Service and any plans for the future of the service.
- Officers clarified for the Committee what the criteria was for the issuing of Pet Shop Licences.
- Members discussed section 9.1 concerning Child Sex Exploitation and the Licensing Service's plans to advise and empower Hackney Carriage and Private Hire Drivers to report anything suspicious.

RESOLVED that the update report be noted.

LEP18 Proposed Changes to the Hackney Carriage and Private Hire Vehicle Driver Licensing Regime

The purpose of the report was to consider proposed changes to the Hackney Carriage and Private Hire Drivers Vehicle Licence requirements meaning drivers would be required to complete a practical driving test on renewal of their licence, to provide references for a grant application, and the fixed interval and renewal dates for hackney carriage and private hire driver licences.

The Licensing Officer presented the report and advised Members of the proposed changes to the Hackney Carriage and Private Hire Vehicle Drive licensing requirements with the removal of the existing requirement for drivers to undertake the DVSA taxi test or equivalent test upon applying for the renewal of a hackney carriage and private hire vehicle driver licence.

The report proposed to replace the current arrangements with a system whereby drivers must undertake the test, should they accumulate seven or more penalty points on their DVLA driving licence within the three year licence period or where the Licensing Manager deems it necessary, following an evidenced complaint about the driving ability of the licence holder (be that from the Police, other agency or other interested party).

This proposal would mean amending the West Somerset Hackney Carriage/Private Hire Regulations to remove the fixed interval expiry dates for hackney carriage and private hire vehicle driver licences as well as removing the requirement for applicants to provide two references when making an application for the grant of a licence to act as the driver or a hackney carriage and private hire vehicle.

During the discussion the following pointed were raised:

- Discussed the need for the practical test if it was being removed and whether or not it was a statutory requirement or Council policy.
- It was discussed if Officers could extend the expiring licenses for a postponement to allow the work on the new Policy and bespoke test to be completed and approved.
- Officers clarified the position of drivers with expiring licenses.
- Chairman advised the Committee that the Licensing Service were planning to introduce two Taxi Forum's in West Somerset.
- Officers clarified that there would be no changes with the removal fixed expiry dates, other than an eventual reduction to no peak period of renewal.
- Members discussed whether or not personal references for driver application were needed or valid with all the procedures Officers had at their disposal.

A proposal to remove the existing requirement for hackney carriage and private hire vehicle drivers to undertake the DVSA taxi test or equivalent test upon applying for the renewal of a licence and replace it with a system whereby drivers must undertake the test should they accumulate seven or more penalty points on their DVLA driving licence within the three year licence period or where the Licensing Manager deemed it necessary, following an evidenced complaint about the driving ability of the licence holder (be that from the Police, other agency or other interested party) was not supported by Members.

As a result, it was considered that existing licenses should be extended for up to 12 months – with the existing policy conditions – to allow sufficient time for the alternative to the DVSA taxi test, being developed by the Council and Somerset Road Safety Partnership (SRSP) to be introduced in the West Somerset district.

RESOLVED (1) that any expiring Hackney Carriage and Private Hire Driver's Licenses be extended for a period of up 12 months pending the introduction of alternative taxi test being developed the Council and Somerset Road Safety Partnership (SRSP);

RESOLVED (2) that the proposal to amend the West Somerset Hackney Carriage/Private Hire Regulations to remove the fixed interval expiry dates for hackney carriage and private hire vehicle driver licences be approved.

RESOLVED (3) that the proposal to remove the requirement for applicants to provide two references when making an application for the grant of a licence to act as the driver of a hackney carriage and private hire vehicle be approved.

The meeting closed at 5.50 pm.