

LICENSING COMMITTEE

Minutes of the Meeting held on 24 November 2015 at 4:30pm

In The Council Chamber, West Somerset House, Williton

Present:

Councillor R P Lillis Chairman

Councillor H Davies
Councillor S Goss
Councillor J Parbrook
Councillor N Thwaites

Councillor I Aldridge
Councillor T Hall
Councillor R Thomas

Officers in Attendance:

Acting Licensing Manager (J Rendell)
Licensing Officer (L Fumagalli-Roberts)
Democratic Services Officer (E Hill)

LEP6 Apologies for Absence

Apologies were received from Councillor Westcott.

LEP7 Minutes of the meeting held on 21 July 2015

(Minutes of the Meeting of the Licensing Committee held on 21 July 2015 (as approved by Full Council on 19 August 2015) – circulated with the Agenda.

RESOLVED that the Minutes of the Licensing Committee held on 24 November 2015 be noted.

LEP8 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	Spoke and voted
Councillor D Westcott	All	Watchet	Spoke and voted
Councillor N Thwaites	All	Dulverton Town Council	Spoke and voted

LEP9 Public Participation

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

LEP10 Licensing Update Report

The purpose of the report was to keep the Council's statutory Committee up to date with current arrangements and statistics relating to the Licensing Service as well as any statutory updates that might be required.

The Acting 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 the subsequent temporary staff recruitment to support officers as plans were made for permanent recruitment in April 2016.

During the discussion the following points were raised:-

- There were 4/5 outstanding applications. Some of these applications were waiting for information from applicants.
- The Licensing Team had already sent updates to Members regarding licensing activity. For an example, Members would have been made aware of the request from Morrisons to extend their opening hours.
- The Acting Licensing Manager and Community and Client Services Manager would be dealing with the legislation changes mentioned in the report in the New Year.
- The data basis and search function of Premises Licenses on the Council website currently did not work but officers would inform Licensing Committee Members and relevant Ward Councillors of any changes to applications as well as any controversial applications within the West Somerset area via email as well as fixing the website issue.
- Even if a formal hearing for a premises application or variance was cancelled, an informal meeting would still be held to update Members on the application and the agreement reached.
- A review of the licensing system as well as any required changes would take place following permanent recruitment to the Licensing service.

RESOLVED that the update report be noted.

LEP11 Licensing Regime for Hackney Carriage and Private Hire Drivers

The purpose of the report was to consider the licensing requirements for Hackney Carriage/Private Hire Drivers and Private Hire Operators within West Somerset and the recommendations set out in the report with regard to the introduction of new policies in respect of out of area applicants and cross-border hiring.

The Acting Licensing Manager presented the report and advised Members of the proposed policy changes in relation to the licensing regime for Hackney Carriage and Private Hire Drivers. These changes would give the Council powers to deal with the growing number of issues surrounding out of area applicants and cross-border hiring.

During the discussion the following points were raised:

- Taxi drivers from outside of the area were picking work after dropping fares off at places like Butlins. This was taking business away from local firms. The Council should however be careful about excluding drivers who resided just over the district boundary.
- It was important to change our policies and keep up with other Local Authorities. The Council needed to protect the public but also the Council needed to protect our local taxi drivers.
- It was felt that the mandatory restrictions in force in other districts were pushing applicants to other districts who had more relaxed policies and less strict licensing conditions imposed.
- The legislation allowed for pre-booked fares from outside the area to travel into the West Somerset.
- The Council completed a Disclosure and Barring Service (DBS) check as part of the application process and if the information did not stack up, the Council could look into the individual further.
- The other districts within Somerset had implemented these policies. Drivers exploiting the historic policy were not just limited to Somerset and if the Council did not have anything in place, it was not protecting or safeguarding the people of West Somerset.
- TDBC and WSC were part of the Somerset Licensing Group who could apply pressure for the legislation to be changed. There was a consultation paper regarding updating the legislation but officers had not heard any more about it. This would be looked into and officers would report back to Members.
- Each licence application was looked at individually and was based on its own merit before a decision was made. Officer assessed each application and asked questions of the applicant to gather the required information.
- The Council would have to be very careful about including any conditions on policies and licenses restricting people's business activity.

RESOLVED (1) to approve and adopt the new policy allowing the Authority the ability to refuse applications made by those persons residing (at the time of submission of their application) outside of the administrative boundaries of the Council, unless the applicant could prove to the satisfaction of the Authority, that they genuinely intended to work or did work entirely or predominately within the district.

RESOLVED (2) to approve and adopt the new policy allowing the Authority the ability to suspend or revoke a person's Hackney Carriage or Private Hire Vehicle Driver's Licence together with any vehicle licence associated with that individual where the Authority believed that a licensed driver was not working entirely or predominately within the district.

LEP12 Any Other Business

The Acting Licensing Manager informed the Committee that letters had been sent to all drivers licensed within the West Somerset area asking if they wished to attend and take part in a Taxi Forum. It was proposed that there should be two forums one based in Minehead and the other based in Watchet. Officers would report back to the Committee in due course with more information regarding future Taxi Forum meetings.

The meeting closed at 5.39 pm.