

## LICENSING & APPEALS COMMITTEE

**HELD: Tuesday, 9 October 2018**

Start: 7.30 pm

Finish: 8.05 pm

### PRESENT:

Councillor: G Owen (Chairman)

Councillors: N Furey C Evans  
J Kay J Mee  
M Mills A Owens  
D West

Officers: Paul Charlson, Commercial, Safety and Licensing Manager  
Samantha Jordan, Senior Licensing Officer  
Kay Lovelady, Principal Solicitor  
Julia Brown, Member Services, Civic Support Officer

### 12 APOLOGIES

There were no apologies for absence received.

### 13 MEMBERSHIP OF THE COMMITTEE

There were no changes to Membership of the Committee.

### 14 URGENT BUSINESS

There were no urgent items of business.

### 15 DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

### 16 DECLARATION OF INTEREST

Councillor G Owen declared a pecuniary interest in relation to Agenda item 12 – Application for Private Hire Driver Licence – WK/000244951 as the Applicant was known to her personally.

Councillor D West declared a pecuniary interest in relation to Agenda item 12 – Application for Private Hire Driver Licence – WK/000244951 as the Applicant was known to her personally.

### 17 MINUTES OF SUB - COMMITTEES OR WORKING GROUPS

There were no minutes to receive.

### 18 MINUTES

RESOLVED: That the Minutes of the meeting held on 5 June 2018 be received as a correct record and signed by the Chairman.

**19 HEALTH AND SAFETY REGULATORY SERVICE PLAN 2018/19**

Consideration was given to the report of the Director of Leisure and Environment as contained on pages 33 to 46 of the Book of Reports which sought Members agreement of the Health and Safety Regulatory Service Plan 2018/19.

The Commercial, Safety and Licensing Manager outlined the report and responded to questions and comments raised by Members.

RESOLVED: That the Health and Safety Regulatory Service Plan for 2018/19, as attached at Appendix 2 to the report be approved.

**20 ADMINISTRATIVE AND SAFEGUARDING MEASURES, INCLUDING CHANGES TO THE CONVICTIONS POLICY CONTAINED IN THE HACKNEY CARRIAGE AND PRIVATE HIRE STATEMENT OF LICENSING POLICY 2018**

Consideration was given to the report of the Director of Leisure and Environment as contained on pages 47 to 96 of the Book of Reports to consider administrative and safeguarding measures, including changes to the Convictions Policy contained within the Hackney Carriage and Private Hire Statement of Licensing Policy 2018, following publication of the Institute of Licensing guidance on determining the suitability of applicants and licensees in the Hackney Carriage and Private Hire trades.

The Commercial, Safety and Licensing Manager outlined the report and responded to questions and comments raised by Members.

- RESOLVED: A. That the convictions Policy document at appendix 2 to the report be approved for use, subject to consultation, thereby replacing the existing Convictions Policy – Appendix S to the Hackney Carriage and Private Hire Statement of Licensing Policy 2018.
- B. That the Hackney Carriage and Private Hire Statement of Licensing Policy 2018 be amended as necessary to reflect the content of Appendix 2 attached to this report and those measures detailed in section 5.0.
- C. That the Director of Leisure and Environment be given delegated authority to subject the amended Hackney Carriage and Private Hire Licensing Policy Statement to a period of public consultation before returning the document to the Licensing and Appeals Committee for approval.
- D. That delegated authority be given to the Director of Leisure and Environment to amend the application procedures and processes contained in the Hackney Carriage and Private Hire Statement of Licensing Policy as may be necessary.

21 **THE ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018**

Consideration was given to the report of the Director of Leisure and Environment as contained on pages 97 to 104 of the Book of Reports which informed Members of the necessary action to be taken to implement the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

The Commercial, Safety and Licencing Manager outlined the report and responded to questions and comments raised by Members.

RESOLVED A. That the report be noted.

B. That the requirements to implement the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 be referred to Council including amended terms of reference of the Licensing and Appeals Committee, appropriate delegation to Officers and licence fees.

22 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 2 (Identity of an individual) and Paragraph 7 (Criminal Matters) part 1 of Schedule 12A outweighs the public interest in disclosing the information.

23 **APPLICATION FOR PRIVATE HIRE DRIVER LICENCE – WK/000244951**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000244951 having regard to the Statutory Declaration that accompanied the Application Form and any other relevant information.

RESOLVED: That Private Hire Licence Number WK/000244951 be deferred one cycle in order to allow receipt of the DBS Report.

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Chairman