

LICENSING COMMITTEE

1.00 P.M.

8TH OCTOBER 2020

PRESENT:- Councillors Colin Hartley (Chair), Mel Guilding (Vice-Chair), Mandy Bannon, Roger Dennison, Merv Evans, Kevin Frea, Mike Greenall, Joan Jackson, Abi Mills and Jean Parr

Officers in attendance:

Daniel Spencer	Criminal Lawyer
Jennifer Curtis	Licensing Manager
Susan Clowes	Senior Environmental Health Officer (Community Protection)
Liz Bateson	Principal Democratic Support Officer

24 MINUTES

The Minutes of the Licensing Committee meeting held on 27 August 2020 were agreed as a correct record. The Chair confirmed that the minute book would be signed when it became available.

25 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

The Chair advised the meeting that he had agreed to an item of urgent business with regard to a recommendation to amend the taxi driver medical requirement policy. Doctors' surgeries had ceased offering medicals to taxi drivers in view of Covid-19 limitations which had resulted in new applicants unable to progress their applications. The Committee were asked to consider amending the recruitment policy to enable applicants to undergo a medical from a private medical company with a summary from their GP and that this would be reviewed in twelve months.

Councillor Guilding proposed, seconded by Councillor Greenall:

"That in order for new applications to progress, the recruitment policy be amended in order that medical examinations undertaken by private medical companies with a GP summary be permitted and that the situation be reviewed in 12 months."

There being no dissent to the proposal, the Chair declared the proposition to be carried.

Resolved unanimously:

- (1) That in order for new applications to progress, the recruitment policy be amended in order that medical examinations undertaken by private medical companies with a GP summary be permitted and that the situation be reviewed in 12 months.

26 DECLARATIONS OF INTEREST

There were no declarations of interest.

27 CHAIRS OF LICENSING SUB-COMMITTEES

The Committee considered a report from the Licensing Manager to appoint an additional sub-committee chair in view of the vacancy that had arisen following a change in the Committee's membership.

The Chair called for nominations to the vacancy. Councillor Guilding proposed that Councillor Joan Jackson be appointed. Councillor Mills seconded the proposal and there being no further nominations the Chair confirmed that Councillor Joan Jackson was appointed.

Resolved:

- (1) That Councillor Joan Jackson be appointed as a sub-committee chair.

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DEPARTMENT FOR TRANSPORT STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS

The Licensing Manager presented a report that provided the Committee with an overview of actions required to deliver compliance with the Departments for Transport (DfT) "Statutory Taxi and Private Hire Vehicle Standards", and sought the Committee's approval of the proposals. The DfT standards were prescriptive as to the measures local authorities were expected to have in place regarding taxi and private hire vehicle licensing and it was clear that these measures were driven by requirements in relation to the protection of vulnerable persons. Current practice already achieved some of the standards detailed by the DfT however other areas would require a review of policies, procedures and standards: in general these were areas of work already identified in the 2019/20 licensing work plan.

The Licensing Manager highlighted a number of key points and actions which would be addressed and were detailed in Appendix B to the report. These included a comprehensive taxi licensing policy document (3.1), consultation at local level (3.12-3.13), referrals to the DBS and Police (4.14 – 4.16), sharing information with other licensing authorities (4.20- 4.25), complaints about licensees (4.29 – 4.33) and CCTV (7.7 – 7.13).

It was noted that the current pandemic created a degree of uncertainty as to how quickly work could be undertaken and finalised in respect of changes required. The proposal to provide 4 monthly updates to the Licensing Committee ensured that members would be kept informed of progress and similarly the DfT could also see the progress that was being made.

Councillor Dennison proposed, seconded by Councillor Greenall:

"That the recommendations, as set out in the report, be approved."

There being no dissent to the recommendations, the Chair declared the proposals to be carried.

Resolved unanimously:

- (1) That the Department for Transport Statutory Taxi and Private Hire Vehicle Standards report be approved by the Licensing Committee.

- (2) That updated progress reports be presented to the Committee at 4 monthly intervals.

29 EXTENSION OF ANIMAL ACTIVITY LICENCES

The Senior Environmental Health Officer introduced a report to enable the Committee to determine whether to offer licence holders an extension of their animal activity licences due to Covid-19. Licensed animal activities, for example dog and cat boarding, hiring of horses and exhibiting of animals were severely impacted during the Covid-19 lockdown and almost all of these businesses closed down for at least three months; many had still not resumed normal operating levels.

It was proposed that all licensed animal activity businesses be offered the opportunity to extend their licences to compensate for the lockdown period when their businesses were affected. Licences were granted for 1, 2 or 3 years and the suggested extension was three months for all licences. The legal mechanism for this would be to vary the licences; under The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 a local authority may at any time vary a licence with the consent in writing of the licence holder.

The Senior Environmental Health Officer responded to questions from Members.

Councillor Dennison proposed, seconded by Councillor Frea:

“That the licence holders be offered a three-month extension to their licences.”

There was no dissent to the proposal and the Chair declared the proposal to be carried.

Resolved unanimously:

- (1) That the licence holders be offered a three-month extension to their licences.

30 EXEMPT ITEM

The Chair advised Members that it had been recommended to exclude the press and public from the meeting for the following items of business on the grounds that they could involve the possible disclosure of exempt information.

It was moved by Councillor Dennison and seconded by Councillor Greenall:

“That, in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the possible disclosure of exempt information, as defined in Paragraph 1 of Schedule 12A of that Act.”

No dissent was indicated to the proposal to exclude the press and public.

Resolved:

- (1) That, in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business,

on the grounds that they could involve the possible disclosure of exempt information, as defined in Paragraph 1 of Schedule 12A of that Act.

The 'Live Teams' meeting concluded at this point and the Committee reconvened in a private Teams meeting to consider the exempt items.

31 DETERMINATION OF A RENEWAL APPLICATION OF DUAL HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE (PAGE 6)

The Committee received the report of the Licensing Manager for the purpose of determining an application for the renewal of a dual driver's licence renewed.

Details of the individual case and the Chair's summary of the decision are set out in Exempt Minute No. 31 in accordance with Section 100A(4) of the Local Government Act 1972.

Decision of the Committee:

That based on the Licensing Manager's report and the applicant's representation, the Committee resolves that the renewal of the dual driver's licence, as set out in the exempt minute, be granted with immediate effect.

32 DECISION TAKEN IN RESPECT OF A REVIEW OF A DUAL DRIVERS LICENCE

The Licensing Manager presented a report to notify the Committee of an urgent decision taken by the Director of Communities and Environment in consultation with the Chair of the Licensing Committee on 11 September 2020 in respect of a dual drivers' licence. The report was provided in accordance with the requirements of the Council's Constitution that any urgent decisions be reported to the next meeting of the Licensing Committee.

The report was for noting.

Resolved:

- (1) That the report be noted.

Chair

(The meeting ended at 2.20 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - email ebateson@lancaster.gov.uk**

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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