

LICENSING COMMITTEE

1.00 P.M.

25TH AUGUST 2022

PRESENT:- Councillors Colin Hartley (Chair), Fabiha Askari, Gerry Blaikie, Andrew Gardiner, Mike Greenall, Tim Hamilton-Cox, Sally Maddocks and Margaret Pattison

Apologies for Absence

Councillors Roger Cleet and Jake Goodwin

Officers in attendance:

Jennifer Curtis	Licensing Manager
Daniel Spencer	Solicitor
Sarah Jones	Licensing Officer
Sarah Moorghen	Democratic Support Officer

29 APPOINTMENT OF VICE-CHAIR

The Chair requested nominations for Vice-Chair of the Licensing Committee for the remainder of the 2022/23 municipal year.

Councillor Mike Greenall advised the Committee that he would nominate himself as Licensing Committee Vice-Chair.

There being no further nominations the Chair declared Councillor Mike Greenall appointed as Vice-Chair.

Resolved:-

That Councillor Mike Greenall be appointed Vice-Chair of the Licensing Committee for the remainder of the municipal year 2022/23.

With the agreement of the Committee the Chair brought forward item 12, Chairs of Licensing Sub-Committee.

30 CHAIRS OF LICENSING SUB-COMMITTEES

The Chair called for nominations for a Sub-Committee Chair.

Councillor Fabiha Askari advised the Committee that she would like to nominate herself as a Licensing Sub-Committee Chair.

As there were no other nominations, the Chair declared that Councillor Fabiha Askari be appointed as a Licensing Sub-Committee Chair.

Resolved:

That Councillor Fabiha Askari be appointed as a Sub-Committee Chair.

31 MINUTES

The minutes of the meeting held on 28th June 2022 were signed by the Chair as a correct record.

32 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

33 DECLARATIONS OF INTEREST

Councillor Mike Greenall declared a non-pecuniary interest in item 8, Existing Dual Drivers Licence and Private Hire Operator, that the License holder had been a driver for him while he was Mayor of Lancaster.

34 EXEMPT ITEM

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

It was moved by Councillor Andrew Gardiner and seconded by Councillor Mike 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 two 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.”

A vote was taken and unanimously carried.

Resolved:

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

35 EXISTING HACKNEY CARRIAGE DRIVERS LICENCE HOLDER

The Committee received the report of the Licensing Manager for the purpose of determining a review of Hackney Carriage Driver Licence.

Details of the individual case and the Chair's summary of the decision are set out in Exempt Minute No. 35 in accordance with Section 100A(4) of the Local Government Act 1972.

Decision of the Committee:

The decision of the Committee is set out in Exempt Minute No 35.

The meeting adjourned at 2.50pm and reconvened at 3.05pm

Councillor Mike Greenall left the meeting at this point and did not participate in Item 8 having declared a none-pecuniary interest in the item.

36 EXISTING DUAL DRIVER'S LICENCE AND PRIVATE HIRE OPERATOR

The Committee received the report of the Licensing Manager for the purpose of determining a review of Hackney Carriage Driver Licence.

Details of the individual case and the Chair's summary of the decision are set out in Exempt Minute No. 36 in accordance with Section 100A(4) of the Local Government Act 1972.

Decision of the Committee:

The decision of the Committee is set out in Exempt Minute No 36.

The press and public were readmitted to the meeting at this point.

Councillor Sally Maddocks left the meeting at this point and did not return.

37 BUSINESS AND PLANNING ACT 2020 - EXTENSION TO PAVEMENT LICENCE PROVISIONS

The Licensing Manager presented a report which sought approval for the extension to existing administration and enforcement provisions contained within Part 1 of the Business and Planning Act 2020 in respect of Pavement Licences.

The Pavement Licensing Policy was appended to the report for the Committee's consideration.

Members asked a number of questions relating to uptake and whether there had been any issues with the licences. Members were advised that due to the COVID restrictions licences had been fast tracked to allow business to trade. Compliance checks had been taking place over the summer with no major issues reported.

Resolved:

- (1) That the existing fee of £100 that is set for the grant of a pavement licence be retained for a further 12 months until 30th September 2023.
- (2) That where a pavement licence is granted it shall normally be granted for a period up to and including 30th September 2023 or a lesser period (not less than 3 months) as directed by the applicant or upon determination by the Local Authority
- (3) That the policy and associated appendices, attached to the report, be extended for a further year to 30th September 2023.

38 DRIVER RECRUITMENT PROGRESS REPORT

The Licensing Officer provided a report which updated the Committee on the progress of licensed driver recruitment.

It was reported that the Licensing Service had been awarded funding from the COVID recovery fund to encourage people into the trade. This had enabled officers to spend at least 3-4 hours per week administering/managing the application process with applicants.

The Committee was advised that the funding had enabled Lancaster City Council to offer 49 new applicants/previous drivers a 1-year dual driver's licence. All 49 funded places had now been allocated and the Licensing Service had granted 20 of the 49 driver badges to date. The aim was to have the majority of applications granted by October 2022.

It was reported that all the COVID recovery funding had now been allocated, however, Licensing had been made aware of other possible funding options that could be available to unemployed or people on a low income. If an applicant was unemployed, they could register for a National Careers Service appointment and be assessed for suitability, this would determine what funding may be available to them through the Flexible Support Fund and/or Restart Funding. The Licensing Service was also working with external organisations such as Lancaster and Morecambe College, Job Centre Plus and Inspira to encourage people to join the licensed trade.

Resolved:

That the report be noted.

39 PEDICAB - CONSIDERATION OF CONSULTATION RESPONSES

The Licensing Manager presented a report on the public and trade consultation on Pedicab Licences.

It was reported that a public and trade consultation had taken place for 4 weeks from Friday 1st July 2022 to Monday 1st August 2022. The details provided as part of the consultation as well as a cross section of responses was appended to the report for the Committee's consideration.

The Committee was advised that during the consultation period the details were sent to the licensed trade, posted on social media channels and made available to the public on the Licensing pages of the Council's website.

A total of 61 responses had been received. (This did not include Facebook comments).

It was reported that feedback was relatively balanced, with some representations being fully supportive of the initiative, whilst others objected or asked questions about the management or raised safety concerns about their introduction.

The Committee was advised that it appeared that the public who supported the initiative would welcome the option of travelling along the Promenade in a pedicab, but the perception of the operation was that the vehicles would be available on an ad-hoc/as and when type basis. This did not fit the proposed licensee's current business model.

The Committee discussed the decision in principal to licence pedicabs as hackney carriages including permissions on the highway, fares, future government legislation and whether it was possible to see an example of a pedicab.

It was proposed by Councillor Colin Hartley and seconded by Councillor Mike Greenall;

- “(1) That the pedicab licence be approved for use along the Promenade, between The Midland Hotel and Whinnysty Lane, Heysham. Not for use on the highway.*
- (2) That the Licensing Manager to draft standards and licence conditions for members consideration at a future Committee meeting.”*

Upon being put to the vote, 6 Councillors voted in favour of the proposal with 1 against and 1 abstention, whereupon the Chair declared the proposal to have been carried.

Resolved:

- (1) That the pedicab licence be approved for use along the Promenade, between The Midland Hotel and Whinnysty Lane, Heysham. Not for use on the highway.
- (2) That the Licensing Manager to draft standards and licence conditions for members consideration at a future Committee meeting.

Chair

(The meeting ended at 4.25 p.m.)

**Any queries regarding these Minutes, please contact
Sarah Moorghen, Democratic Services - email smoorghen@lancaster.gov.uk**

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

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