



**MINUTES OF A MEETING OF THE LICENSING COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 18 JUNE 2015**

Members Present: Councillors Hiller (Chair), Coles, Iqbal, Miners, Herdman and Forbes

Officers Present: Peter Gell, Head of Regulatory Services
Donna Hall, Public Protection Manager
Terri Martin, Regulatory Officer
Kerry Leishman, Licensing Development Officer
Colin Miles, Litigation Lawyer
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Thacker, Davidson and Martin. Councillor Forbes was in attendance as a substitute.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Meeting Held on:

3.1 18 December 2014

The minutes of the meeting held on 18 December 2014 were approved as a true and accurate record.

3.2 Minutes of the Sub-Committee Hearings Held Between December 2014 and May 2015

The following minutes of the Sub-Committee hearings held between December 2014 and May 2015 were approved as true and accurate records:

- i) 11/12/14 – 653 Lincoln Road (Review)
- ii) 13/01/15 – Little Europe (New Premises)
- iii) 01/04/15 – Rylass (New Premises)
- iv) 13/04/15 – Anglia Ruskin University Higher Education Corporation (New Premises)
- v) 15/05/15 – Coop, Oundle Road (New Premises)

It was agreed that the 'Review of Statement of Principles – Gambling Act 2005' would be considered by the Committee as the first item.

4. Review of Statement of Principles – Gambling Act 2005

The Committee received a report which outlined the draft revised Statement of Principles prepared in accordance with the Gambling Act 2005, for the purposes of statutory consultation. The report further sought the Committee's approval of the draft revised Statement of Principles.

The Licensing Development Officer presented the report and made the following key points:

- There were no changes proposed that were required to be reflected in Council policy.
- The most prominent revision was that the Statement of Principles must be reviewed every three years, rather than every five years. This was introduced under the Gambling Act 2015, without discretion.

The Committee noted that the proposed consultation period would run for a considerable period and was advised that notices would be displayed in Council offices and on the Council's website.

RESOLVED that:

- i) The draft revised Statement of Principles for the purposes of consultation between 6 July and 13 September 2015 be approved; and
- ii) The Proposal for consultation of the draft revised Statement of Principles be approved, in accordance with section 349 of the Gambling Act 2005.

5. Proposed Variation of Private Hire Vehicle Licensing Requirements

The Committee received a report following a referral from the Licensing Department, which sought approval to vary the private hire vehicle requirements to for the provision of new technologies.

The Public Protection Manager presented the report and made the following key points:

- Currently the Council was not able to licence other means of vehicle which were not measured by cubic capacity engine use.
- The Council had been approached by an operator wishing to use an electric vehicle as a private hire vehicle.
- It was believed that varying the private hire vehicle licensing requirements to support such an approach would support the Council's Environment Capital aims.
- No comments had been received during the consultation period.

In response to a question from the Committee, the Public Protection Manager advised that it was not considered that the removal of the minimum 1300 cubic capacity requirement would encourage 1000 cubic capacity engine use.

RESOLVED that requirement 1(c) "The cubic capacity of the engine is no less than 1300cc, unless the vehicle in question is a diesel "Fortwo" Smart Car" be removed from the private hire vehicle requirements.

6. Three Year Taxi Private Hire Driver Licensing

The Committee received a report following a referral from the Licensing Department, which sought for the adoption of a three year Taxi and Private Hire driver licence following the implementation of the Deregulation Act 2015. The report further sought approval from the Committee on the frequency of associated driver safety checks.

The Public Protection Manager presented the report and made the following key points:

- The current Taxi and Private Hire driver licence was subject to an annual renewal. There was now no legal requirement for an annual renewal, as such a three year licence period was proposed.
- Alongside the annual licence renewals, driver safety checks were undertaken. A decision needed to be made as to whether these checks would remain annual, or also be altered to a three year cycle.

- Option one, to introduce a three year renewal process for licensed drivers and associated driver safety checks, reduced the burden on officers and licence holders. There was a risk involved that licence holders would not notify the Council of any relevant convictions.
- Option two, to introduce a three year renewal process for licensed drivers, however retain annual driver safety checks, would reduce the burden on officers to a degree and maintain safety checks.
- Current fees for annual renewal were £114. Option one would amount to approximately £245 for three years. Option two would cost approximately £285 for three years. Additional fees would be incurred in relation to the police, Driver and Vehicle Licensing Agency (DVLA) and Disclosure and Barring Service (DBS) checks.

The Committee discussed the ramifications of both proposed options. It was confirmed that the police were under an obligation to inform the Council if a private hire licence holder was convicted of an offence. In response to a questions for the Committee the Public Protection Manager clarified that if drivers signed up to DBS Update, checks would be undertaken by more regularly through the DBS, which could be used in the audit process.

The Head of Regulatory Services explained that the powers of the Licensing Authority to review and suspend licences would remain. It was further advised that a reduction in the administrative requirements on officers would free up resources to undertake more compliance and audit checks.

RESOLVED that:

- i) The new information in relation to the Deregulation Act 2015 be noted; and
- ii) A three year renewal process for licensed drivers and associated driver safety checks be adopted.

7. Review of Statement of Licensing Policy – Licensing Act 2003

The Committee received a report, which outlined the draft revised Statement of Licensing Policy prepared in accordance with the Licensing Act 2003, for the purposes of statutory consultation. The report further sought the Committee's approval of the draft revised Statement of Licensing Policy.

The Regulatory Officer presented the report and made the following key points:

- The Statement of Licensing Policy was required by statute.
- There had been a number of amendments to relevant laws following the most recent review of the document.
- The review period had been amended to a five year period.
- Two new responsible authorities had been identified in the form of the Licensing Authority and Public Health.
- Changes had been made to the Temporary Event Notice regulations. Two relevant persons had been identified; Pollution Control and the Police.
- The Council now had the power to suspend a premises licence if the annual fee was not paid.
- A personal licence was now indefinite.
- There had been a deregulation of entertainment uses.

RESOLVED that the commencement of the consultation on the Statement of Licensing Policy, from 6 July 2015 for a period of ten weeks ending 13 September 2015, be approved.

Chairman
7.05pm – 7:36pm