

MINUTES of a meeting of the LICENSING COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 22 FEBRUARY 2017

Present: Councillor N Smith (Chairman)

Councillors R Ashman, J Clarke, N Clarke, J Cotterill, D Everitt, T Eynon, G Hoult, J Hoult, G Jones, P Purver, V Richichi, A C Saffell, S Sheahan and M Specht

Officers: Mr A Cooper, Mr L Mansfield, Mrs R Wallace and Miss A Winfield

23. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor G A Allman.

24. DECLARATIONS OF INTEREST

Councillor T Eynon declared a non pecuniary interest in item 4 – Review of Hackney Carriage and Private Hire Driver Policy, as a General Practitioner qualified to conduct medical examinations for the purpose of taxi licensing, although she was not currently undertaking any.

25. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 23 November 2016.

Regarding the Purple Flag Accreditation on page three of the minutes, the Chairman made the following statement on behalf of the Portfolio Holder:

Police were called at 2.41am on Sunday 12 February to a report of a fight in Market Street, Ashby. Officers attended and the victim was taken to hospital with head injuries, five men have been arrested on suspicion of grievous bodily harm.

The council is considering how this incident might impact on the application for purple flag accreditation. The council has proactively made the purple flag assessment team aware of this incident. We have been advised that the fact that the incident has taken place does not in itself reduce the likelihood of achieving the purple flag standard; the assessment team will be seeking assurances from the council, the police and other partners with a responsibility to manage the night time economy that the incident was well managed. Areas of focus might be the initial response by the police, effectiveness of CCTV and communications.

Any council response to this violent incident will be led by the Community Safety Team and the Safer North West Community Safety Partnership. The Partnership has recently agreed their priorities for the next 12 months with priority number one being 'To protect the residents and visitors from the effects of violence'. The licensing team will be part of a wider team putting together an action plan to address this priority.

The Chairman added that Members could not discuss the matter due to ongoing investigations but invited comments.

Councillor M Specht stated that he was shocked by the violent assault and sent his best wishes to the victim and his family. He felt that the application for the Purple Flag Accreditation may need to be put on hold for the moment and improvements such as upgraded CCTV systems was required.

Chairman's initials

Councillor S Sheahan questioned if premises should be licensed to open until the early hours if they could not be adequately policed.

The Environmental Health Team Manager confirmed that an update report regarding the application for the Purple Flag Accreditation would be brought to the next meeting.

Regarding the insurance database referred to on page five of the minutes, Councillor J Clarke asked if officers had looked into the possibility of using it as part of their insurance checks. The Environmental Health Team Manager agreed to provide an answer outside of the meeting as he did not have the information but was aware of work being undertaken on the issue.

It was moved by Councillor S Sheahan, seconded by Councillor Jones and

RESOLVED THAT:

The minutes of the meeting held on 23 November 2016 be approved and signed by the Chairman as a correct record.

26. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER POLICY

The Environmental Health Team Manager presented the report to Members highlighting the responses received from the consultation and the key changes made as a result. He also informed Members of an amendment further to those reported at paragraph 8.5.4 of the Driver's 'Fit and Proper' Person Policy. For clarity, point 2 would read 'Racially-aggravated offences not already listed'.

At the invitation of the Chairman, Councillor T Eynon, in her capacity as a General Practitioner, offered her thoughts on the proposed changes to the medical examination for drivers. She believed that the Council had done all it could to pursue the issue and that she was very disappointed with the response from West Leicestershire Clinical Commissioning Group.

In response to a question from Councillor G Jones, the Environmental Health Team Manager stated that there were approximately 200 licensed drivers but he was not aware of the number that lived outside of the District. He agreed to provide the information outside of the meeting.

Councillor R Ashman was happy with the change to the driver dress code; he believed having one list with the clothing that was prohibited was easier to understand.

Councillor J Cotterill raised concerns regarding a licence being granted once the applicant was at least three years free of conviction for the possession of a firearm, as he did not feel that this was a long enough period of time. Councillor S Sheahan highlighted that it stated a weapon, not specifically a firearm. The Chairman drew Members attention to paragraph 8.5.3 of the policy which related specifically to the possession of a firearm and it was a period of at least 10 years free of conviction before an application would be considered.

It was moved by Councillor M Specht, seconded by Councillor R Ashman and

RESOVLED THAT:

- a) The Draft Hackney Carriage and Private Hire Policy be approved.
- b) The Draft Hackney Carriage and Private Hire Code of Conduct be approved.

Chairman's initials

- c) Authority to make amendments to the Hackney Carriage and Private Hire Driver Policy to reflect changes in legislation and central government policy be delegated to the Environmental Health Team Manager following consultation with the Portfolio Holder.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 6.58 pm

Chairman's signature