

LICENSING COMMITTEE

Tuesday, 17th June 2014

PRESENT: *Councillor Wright (in the Chair), Councillors Ali, Brookfield, Casey, Davies, Gee, Humphrys and S. Hussain.*

RESOLUTIONS

1 Welcome and Apologies

The Chair welcomed those present to the meeting and apologies were received from Councillors Z Khan, H Khonat, and Mulla.

A 1 minute silence was held in remembrance of Councillors F Oldfield and D Walsh who had recently passed away.

2 Minutes of the meetings held on 19th November 2013 and 7th January 2014

Resolved - That the minutes of the meeting held on the 19th November 2013 to be received and signed as a correct record.

Resolved - That the minutes of the meeting held on the 7th January 2014 to be received and signed as a correct record.

Matters Arising – 19th November 2013

Denise Andrews gave an update to the committee on item 27, Proposed Introduction of Intended Use Policy. An objection has been received in reflection to the policy and would therefore be submitted to a future meeting of the Licensing Committee for consideration.

Matters Arising – 7th January 2014

Denise Andrews gave an update to the committee on item 27, Consultation on the Blackburn with Darwen Draft Alcohol Strategy.

The Licensing section has received a request from colleagues in Public Health to include a clause within the statement of Licensing Policy on the use of premises licence conditions limiting the strength of alcohol and price promotions for alcohol on sale at problem premises. Consideration is currently being given to the legal issues around this. A report will be submitted to a future meeting of the Licensing Committee for consideration.

Denise Andrews gave an update to the committee on item 28, Terms and Conditions of Hackney Carriage Vehicles.

The committee was advised that the request had been refused and that the applicant had appealed to the Crown Court. Members were further

advised that the appeal had been dismissed. The report will now go to the Executive Member Cllr Jim Smith.

3 Minutes of the Licensing Act 2003 Sub Committee meeting on 19th December 2013

Resolved - That the minutes of the meeting held on the 19th December 2013 be received and signed as a correct record.

4 Declarations of Interest in items on this agenda

There were no declarations of interest.

5 Bodywork Standards for Private Hire and Hackney Carriage Vehicles

A report was submitted to:

1. Advise Members of a current review of the current bodywork standards included in the Council's Supplement Testing manual for private hire and hackney carriage vehicles; and

2. To request that the Committee consider an introduction of a revised bodywork standard for a trial period at Blackburn with Darwen.

Members were advised that the current revision of the Council's testing manual had been introduced on 8th April 2011. A copy of the manual was attached to the report at appendix 1. It was reported that a formal request by the taxi forum had been received in January 2014 for the Council to review the bodywork standards. It was felt that the current standard was very prescriptive and that current measures did not seem to be practicable.

The Committee was further advised that, in a response to the request, various testing manuals currently being used throughout the country had been reviewed. At a meeting of representatives of the trade on 19th May 2014, the current bodywork standards included in Transport for London's testing manual had been considered and recommended as a good standard that would work in Blackburn with Darwen. A copy of the Transport for London's testing manual was attached to the report at appendix 2. It was stressed to the Committee that currently, introduction of the bodywork section only was being considered for introduction at Blackburn with Darwen.

The Committee was advised that if a trial period of use of the London Standard was agreed, it would enable an assessment of the Standard to be undertaken and if deemed appropriate, to introduce the new standard formally following a full consultation period. A trial period of 9-12 months was recommended to the Committee.

Members were reminded that the primary focus on vehicle testing was public safety and that the Council must ensure that public confidence in the taxi trade was maintained.

Resolved -

1. That the current bodywork standards that are included in Transport for London's testing manual be introduced at Blackburn with Darwen Borough Council for a trial period of six months; and
2. That following the trial period, use of the bodywork standards Transport for London's testing manual be reviewed for consideration of permanent use at Blackburn with Darwen Borough Council.

6 Licensing Update Report – Taxi Law Reform

A report was submitted to provide Members with an update on the current position on the Taxi Law Reform that was currently being undertaken.

The Committee was advised that laws on taxis and private hire vehicles were fragmented, complex and outdated. Oldest taxi legislation that was still applicable dated back to 1831. The licence regime had been extended, amended and adapted ever since.

Members were advised that the Law Commission for England and Wales was an independent non-government body that reviewed the law and recommended reform. It was reported that in 2012 a consultation had been undertaken and the results had been published in a report entitled '**Taxi and Private Hire Services**'. The report had recommended wholesale reform of the law. A summary of the report was attached to the report at appendix 1. The recommendations in the report were outlined to the Committee.

A discussion took place around the issue in which a copy of the current driving licence fees were requested.

Resolved -

1. That the report be noted.
2. That a copy of the current driving licence fees be circulated to Cllr Imtiaz Ali.

Part 2 – The press and public be excluded during consideration of the Licensing Sub Committee Minutes

Resolved – That the minutes of General Licensing Sub Committee held on 16th and 23rd July 2013, 3rd September 2013, 26th November 2013, 10th December 2013, 7th and 21st January 2014, 18th February 2014 and 18th March 2014 be approved as a correct record.

Signed.....

Chair of the meeting at which the Minutes were signed

Date.....