

LICENSING COMMITTEE
Monday 18th September 2017

PRESENT – *Councillor John Wright, (in the Chair) Humphrys, Hussain, McFall, Davies, Brookfield, Gee, Pearson, Casey, Hussain and Vali*

RESOLUTIONS

1. Welcome and Apologies

The chair welcomed members to the meeting and no apologies were received.

2. Minutes of the Meeting held on 14th June 2017

The minutes of the meeting held on 14th June 2017 were submitted.

RESOLVED- That the minutes of the meeting held on 14th June 2017 be approved as a correct record and signed as a correct record

3. Declarations of Interest

There were no declarations of interest.

4. Changes to Home Office section 182 Guidance to the Licensing Act 2003

The Chair invited the Licensing Manager, Sargent Middleton and the Principal Solicitor to provide a review of the changes to Home Office section 182 Guidance to the Licensing Act 2003.

The Committee received a presentation which highlighted key points such as, criminal conviction considerations for new applicants and existing, relevant convictions, considerations to be made by the committee and what to consider when dealing with a review.

The Committee noted that before April 2017 the courts had the authority to revoke a personal licence where a holder had received relevant convictions but that rarely happened as licence holders did not notify the courts that they held a personal licence. The Licensing Authority now had the power to revoke personal licences for existing licence holders.

When a personal licence is brought to the Committee's attention there are considerations that have to be taken by the committee. The Committee have to look at any representation made by the licence holder, any decision of a court which the licensing authority is aware (about the personal licence) and any other information considered relevant.

The Committee have various options about the decision of the personal licence, which were, to revoke the licence or to suspend the licence for up to 6 months. If the licensing authority proposes not to revoke the licence the chief police

officer must be notified and they would have 14 days to make representation about crime prevention. The licensing authority then takes into account any representations made under the crime prevention objective.

RESOLVED - That the presentation be noted.

5. Update on the work of the Public Protection and Environmental Health Service

The Committee were updated on the Council's Public Protection and Environmental Health Service during the period of June to August 2017.

During this period a taxi safety operation took place on 16th June 2017 at the railway station in Blackburn where a total of 28 vehicles were inspected and the driver had their private hire or hackney carriage drivers licences checked.

There had been underage sales alcohol test purchasing operation that took place on 19th July 2017 where 14 off-licensed premises were tested. The under 18 year old volunteers were all refused the sale of alcohol by the businesses on all occasions.

The Committee were informed that on 20th June the owner of a general store appeared at Blackburn Magistrates Court and was fined a total of £185 as the owner had sold 4 cans of lager to an underage volunteer back in October 2016 where the volunteer was not challenged about his age nor asked for any identification. It was reported that this was a repeat offence and the alcohol licence for premises was being reviewed.

The Committee were also informed about the safeguarding training which was now mandatory for all hackney carriage and private hire drivers within Blackburn and Darwen. A number of training sessions were held in September and was being delivered by the Safeguarding Team with the aim to have all Blackburn with Darwen drivers complete the course by the end of the financial year.

The Committee were informed that the Public Protection Service were involved in the Elton John concert at Ewood Park on 10th June 2017. Staff had many responsibilities during the event which included, minimising the noise, to ensure the event was compliant with the conditions of the Alcohol/Entertainment licence, to make sure merchandise was not counterfeit and to ensure the safety of the event with regards to crowd safety, movement and stewarding.

The Committee were provided with figures on work carried out by officers in the Licensing Team from 1st June – 31st August 2017. The Chair on behalf of the Committee thanked the officers for their hard work.

The Committee noted that the taxi penalty point scheme had been in place since 2016 and it was introduced to encourage compliance with hackney carriage, private hire vehicle and driver licence conditions. When issues were found to be not serious enough to warrant prosecution, informal points were

issued to the license holder. The number of points varied depending on the problem (ranging from 5 to 10) and if a licence holder reached 20 points in a rolling 12 month period they would be referred to the General Licensing Sub-Committee for a review.

Between January 2016 and the end of August 2017 it was reported that 54 sets of points had been issued, 31 for vehicle faults and 23 for driver licence issues. 5 were to private hire operations in relation to company vehicle faults, 3 licence holders had appealed using the internal appeal process – all cases were dismissed. 1 private hire operator was able to demonstrate the company had addressed the issues concerned and was no longer necessary to bring to committee.

The Committee were informed that the department for Transport Taxi and private hire vehicle licensing survey 2017 had been published in early September. It was noted that figures for Blackburn with Darwen had increased the number of licenced hackney carriages and private hire vehicles.

RESOLVED - That the Committee note the updates contained in the report

6. Minutes of the Licensing Sub-Committees

The Sub-Committee received the proceeding of the following Sub Committees-

- General Licensing Sub-Committee 13th June 2017**
- General Licensing Sub-Committee 18th July 2017**
- General Licensing Sub-Committee 22nd August 2017**
- Licensing Act Sub-Committee 11th July 2017**
- Licensing Act Sub-Committee 5th September 2017**

RESOLVED - that the proceedings of the Sub Committees as outlined above be approved.

Signed.....

Chair of the meeting at which the Minutes were signed

Date.....