

Late Sheets
Monday, 6 January 2020

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LICENSING COMMITTEE

- * Councillor David Goodwin (Chairman)
- * Councillor Will Salmon (Vice-Chairman)

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| * Councillor Tim Anderson | * Councillor Ann McShee |
| * Councillor Joss Bigmore | * Councillor Marsha Moseley |
| * Councillor Dennis Booth | * Councillor George Potter |
| * Councillor Gillian Harwood | * Councillor Maddy Redpath |
| Councillor Gordon Jackson | Councillor James Steel |
| * Councillor Nigel Manning | * Councillor Catherine Young |
| * Councillor Ted Mayne | |

* Present

L16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gordon Jackson and James Steel.

L17 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of disclosable pecuniary or non-pecuniary interests.

L18 MINUTES

The minutes of the meeting of the Licensing Committee held on 25 September 2019 were confirmed as a correct record, and signed by the Chairman.

L19 ANNOUNCEMENTS

There were no announcements other than those relating to the fire alarm, webcasting and mobile telephones.

L20 LICENSING COMMITTEE ITEMS

L21 LICENSING ACT 2003 - STATEMENT OF POLICY 2021-26 REVIEW

The Committee considered a report which sought its views in respect of the strategic direction for the proposed review of the Licensing Act 2003 Policy in 2020. The report recommended that film classification, internet sales/delivery of alcohol, 'Agent of Change' (a person or business introducing a new land use was responsible for managing the impact of that change) and safeguarding policy be incorporated within the Council's Licensing Act 2003 Policy to be consulted upon.

In its role as the Licensing Authority under the Licensing Act 2003, the Council had a duty to prepare, and keep under review, its Statement of Licensing Policy which set out how the Licensing Authority sought to promote the four licensing objectives during the licensing process, namely, the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm. The current Statement of Licensing Policy, adopted by Council on 8 December 2015, took effect from 7 January 2016 for a maximum period of 5 years and was consequently due for review by 7 January 2021.

The current Policy did not cover the re-classification of films. If the Council was approached to consider re-classifying a film it would require sound grounds to depart from the British Board of Film Classification rating. It was felt that the approach to unclassified films and re-classifying films should be included in the Policy.

The inclusion of the 'Agent of Change' responsibility in the Policy was welcomed.

Councillors suggested that internet sales/delivery of alcohol was difficult to enforce and the Licensing Team Leader noted that the Policy intended to ensure that operators had safeguards in place to verify the age of purchasers of alcohol over the internet. The responsibility lay with the credited licence holder selling the alcohol who needed to comply with conditions and where third parties were utilised to deliver alcohol purchases there should be a robust contract in place to undertake age checks at the delivery point.

The Committee having considered the report

RESOLVED

that the following areas of Policy be incorporated within the Council's Licensing Act 2003 Policy to be consulted upon:

- Film Classification
- Internet sales/delivery of alcohol
- Agent of Change
- Safeguarding

The reason for the recommendation was to allow officers to develop a revised Statement of Licensing Policy under the Licensing Act 2003 for public consultation and to enable the Council to make decisions on licensing premises applications with a current Statement of Licensing Policy.

L22 TAXI AND PRIVATE HIRE POLICY 2015-20 REVIEW

The purpose of this report was to seek the views of the Committee in respect of the strategic direction for the proposed review of the Taxi and Private Hire Licensing Policy 2015-20.

The proposed changes to the Policy related to Hackney Carriage and Private Hire drivers, CCTV in licensed vehicles, licenced vehicle age/emissions, 'fit and proper' test for vehicle proprietors, Private Hire operators, trading names, sub-contracting, operator staff, operator procedures, pick up and drop off locations, operator tariff and executive hires.

Councillors suggested that the Policy should focus on set vehicle emission standards and not vehicle age in the interests of air quality. CCTV in vehicles was not mandatory and where it was present the Council was the data controller and could access the data together with the police whilst drivers were unable to do so. CCTV protected drivers in addition to passengers and the cost of installing it could be recovered over the life of the vehicle.

Having considered the proposals in the report, the Committee

RESOLVED

That the following areas of Policy be incorporated within the Council's Taxi and Private Hire Policy to be consulted upon:

Measures to improve driver standards through:

- requiring drivers to sign up to the Disclosure and Barring Service update service and a check every 6 months
- adopting a robust previous convictions policy
- a code of conduct for drivers

Measures to improve vehicle standards through:

- requiring CCTV in licensed vehicles
- emissions standards for licensed vehicles

- a suitability test for vehicle proprietors

Measures to improve private hire operator standards through:

- Improved staff training and vetting
- Improved procedures for
 - vetting drivers/vehicles who would be allocated bookings
 - advertising
 - sub-contracting
 - tariff display
 - pick up/drop off procedures
 - executive hires

The reason for the recommendation was to improve safety within the licensed Hackney Carriage and Private Hire vehicle service operating in Surrey.

L23 CHARGING FOR LICENSING ADVICE

A report seeking the approval of the Committee to commence charging for the non-statutory function of providing licensing advice to prospective applicants under the Licensing legislation from 1 April 2020 relating to animal activities, charitable collections, the Gambling Act 2005, the Licensing Act 2003, taxi and private hire, street trading and sexual entertainment venues was before councillors for consideration. The services for which charges were proposed were an application checking service, application advice service and full pre-application service.

As councillors were not in favour of charging charitable organisations for licensing advice in respect of charitable collection applications or other activities, it was agreed that charities be excluded from the charging proposal.

The Committee having considered the report

RESOLVED

That pre-application advice charging for Licensing applications under the following legislative regimes be introduced with effect from 1 April 2020:

- Animal Activities
- Gambling Act 2005
- Licensing Act 2003
- Taxi and Private Hire
- Street Trading
- Sexual Entertainment Venues

That the charging model proposed in the report be agreed.

The reason for the recommendation was to contribute to the Future Guildford strategy of income generation and to ensure cost recovery in respect of the non-statutory licensing functions.

L24 REMOVAL OF HACKNEY CARRIAGE STAND A GUILDFORD PARK ROAD

The Committee considered a report which outlined the Council's proposal for removal of the current Hackney Carriage Stand (taxi rank) on Guildford Park Road, outside Guildford Station, and sought its support to recommend the removal of the rank by the Council's Executive. The matter would be subject to public consultation.

The stand removal would be achieved through the process prescribed under section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to appoint or revoke ranks.

Councillors noted that the rank was underused and were in favour of the proposal which they felt would ease congestion in the area. It was suggested that enforcement in the area be increased following the removal of the rank to prevent private hire vehicles utilising the stand as a passenger drop off point.

The Committee having considered the report

RESOLVED

That the Executive be recommended to agree to the removal of the current taxi rank on Guildford Park Road (southern carriageway) outside Guildford Station, subject to compliance with the statutory procedure.

The reason for the recommendation was that this proposal was part of the wider Sustainable Movement Corridor, which identified a series of improvements for all modes of transport between the rail station, the University, the Hospital and the Research Park. Guildford Park Road was located at the southern end of the corridor. The removal of the taxi rank was part of a series of improvements proposed along Guildford Park Road.

L25 LICENSING COMMITTEE WORK PROGRAMME

The Licensing Committee Work Programme was noted.

The meeting finished at 8.15 pm

Signed

Date

Chairman