

LICENSING COMMITTEE
04/06/2019 at 9.30 am



Present: Councillor Briggs (Chair)
Councillors Cosgrove, A Hussain, Moores, Price and
Shuttleworth

Also in Attendance:

Alan Evans	Group Solicitor
John Garforth	Trading Standards and Licensing Manager
Kaidy McCann	Constitutional Services

1 ELECTION OF VICE-CHAIR

RESOLVED that Councillor Cosgrove be elected Vice-Chair for the forthcoming municipal year.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M. Bashforth, Councillor Garry, Councillor C. Gloster, Councillor Harrison, Councillor Malik and Councillor McLaren.

3 URGENT BUSINESS

There were no items of urgent business received.

4 DECLARATIONS OF INTEREST

There were no declarations of interest received.

5 PUBLIC QUESTION TIME

A public question was received from Mr A R Khayal:

“We were forced to pay £24.00 for checking DVLA records when this is free available to the drivers.

When Manchester council along with other council don't charge for this service.

Why Oldham licensing forcing these charges upon on us.”

The following response was provided by the Chair:

“Thank you for your question.

It is the Council's duty to ensure that drivers a fit and proper to hold a licence. We fulfil this duty by a series of checks on applicants and existing licence holders.

To enable the Council to control the situation, including conducting checks on existing drivers as and when necessary, it was decided that the current provider we are using could deliver what we wanted. This does come at a cost to the trade.

If we relied solely on the driver to produce his record, we would not have the ability to check it when we required updated information without gaining consent on each occasion.

Whilst it is acknowledged that other Councils use different ways of checking records, we are happy with the service we are using but will continue to monitor cost and review best practice when considering future policy.”

6 MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the meeting held on 5th March 2019 be approved as a correct record.

7 LICENSING ANNUAL REPORT

Consideration was given to a report of the Trading Standards and Licensing Manager which sought to inform the committee of the activities undertaken to discharge the Council's licensing functions during the period 1st April 2018 to 30th April 2019.

It was explained that the licensing function encompassed two strategic objectives:

- To work with businesses to ensure they were licensed and compliant;
- To ensure safe passenger journeys, in safe licensed vehicles with safe licensed drivers.

It was also explained that the legislation that underpinned the Council's licensing function was the Licensing Act 2003 whose main objectives were:

- Prevention of crime and disorder;
- Prevention of public nuisance;
- Public safety;
- Protection of children from harm

The number of licensed premises under the Act for year ending 31st March 2019 were reported: these were 3668 in total. In the last 12 months, 3 applications to the Licensing Premises panel had been considered. It was also reported that 43 complaints had been received in relation to premises licenced under the Licensing Act 2003.

Applications under the Gambling Act 2005 continued to be in minor numbers and officers continued to work closely with the Gambling Commission to ensure compliance with licence conditions.

Trading Standards Officers continued to monitor premises where intelligence suggested attempts to purchase alcohol or other restricted goods by children. Figures relating to this issue were outlined in the report. Training would continue to be provided for all businesses regarding selling age restricted products.

With regards to the business of the Licensing Driver Panel, it was reported that since April 2018, a total of 42 determinations by the Panel or Officers had been held.

The details on the number of licences in force were provided as well as the figures concerning complaints and enforcement.

Members were also informed of current projects concerning the Star Rating Scheme, which was being reviewed in line with the proposals in relation to the Greater Manchester Minimum Standards Project. A consultation was set to be launched in the summer which would include:

- Age of vehicles linked to emissions and Air Quality;
- Updating the fit and proper guidelines for determining applications and reviewing licences;
- Spoken English test;
- Drivers code of conduct;
- Improving vehicle testing standards;
- Private hire operator code of conduct and safeguarding policy;
- Executive Hire Policy.

RESOLVED that:

1. The report be noted;
2. The implications of the report be considered in future licensing decisions.

8

COMPOSITION OF LICENSING PANELS

Consideration was given to the proposals as outlined in the report, for the composition of the Licencing Driver Panel and the Licensing Panels for the Municipal Year 2019/20.

RESOLVED that, the composition of Panels for the Municipal Year 2019/20 be agreed as follows:

No.	Party	Councillor (8)	Dates of Future Meetings
1.	Lab	Briggs (C)	Tuesday 11th June 2019
2.	Lab	Cosgrove	Tuesday 9th July 2019
3.	Lab	Price	Tuesday 10th September 2019
4.	Lab	Shuttleworth	Tuesday 8th October 2019
5.	Lab	Garry	Tuesday 12th November 2019
6.	Lab	Moore	Tuesday 10th December 2019
7.	Lib Dem	Gloster	<u>2020</u>
			Tuesday 14th January 2020
			Tuesday 4th February 2020
			Tuesday 10th March 2020
			Tuesday 7th April 2020

PANEL 1

No.	Councillor (3)	Dates of Future meetings
1.	Briggs	Tuesday 18th June 2019
2.	Malik	Tuesday 17th December 2019
3.	Gloster	



PANEL 2

No.	Councillor (3)	Dates of Future Meetings
1.	Moores	Tuesday 16th July 2019
2.	Price	Tuesday 21st January 2020
3.	Sheldon	

PANEL 3

No.	Councillor (3)	Dates of Future Meetings
1.	Garry	Tuesday 17th September 2019
2.	Shuttleworth	Tuesday 11th February 2020
3.	A. Hussain	

PANEL 4

No.	Councillor (3)	Dates of Future Meetings
1.	McLaren	Tuesday 15th October 2019
2.	M Bashforth	Tuesday 17th March 2020
3.	Gloster	

PANEL 5

No.	Councillor (3)	Dates of Future Meetings
1.	Harrison	Tuesday 19th November 2019
2.	Hewitt	Tuesday 14th April 2020
3.	Sheldon	

The meeting started at 9.30 am and ended at 10.40 am