

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Tuesday 15th April 2014 at 10.00 a.m.

PRESENT: Members:

Councillor Tucker (Chairman)

Councillors Biederman, Fowler, Lucas, Mathews, Moore, Webb, Wilkinson and J. Yabsley.

Officers:

Head of Contentious Law, Lead Officer – Licensing, Licensing Officer (PF) and Member Services Co-ordinator (KS).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barker, Clark, Lane and Turner.

2 MINUTES

RESOLVED that the minutes of the meeting held on 18th March 2014 (circulated previously) be approved as a correct record and signed by the Chairman.

3 DECLARATIONS OF INTEREST

There were no declarations of interest announced.

4 ALTERNATIVE ARRANGEMENTS FOR THE APPOINTMENT OF SUB-COMMITTEES

The Committee considered a report by the Senior Member Services Officer regarding alternative arrangements for the appointment of Sub-Committees.

RESOLVED:

- (a) That five Sub-Committees be appointed each with three Members with the delegated powers as detailed in Appendix 1 of the report;
- (b) That alternative arrangements be made for the appointment of Members of the Sub-Committees of the Licensing Committee: 15th April 2014 Licensing Committee in accordance with the powers set out in Section 17 of the Housing and Local Government Act 1989 and the provisions of the Local Government

(Committees and Political Groups) Regulations 1990;

- (c) That the alternative arrangements provide that the membership of the Sub-Committees of the Licensing Committee be not politically balanced;
- (d) That a Member be selected by Member Services to act as a Substitute Member for each Sub-Committee meeting;
- (e) That appointments to the Licensing Sub-Committees for 2013/14 be as follows:
 - (i) Licensing Sub-Committee A
Councillor Tucker (Chairman)
Councillors Biederman and Webb.
 - (ii) Licensing Sub-Committee B
Councillor Mathews (Chairman)
Councillors Fowler and Mrs Haywood.
 - (iii) Licensing Sub-Committee C
Councillor Mrs Hunt (Chairman)
Councillors Mrs Clark and Turner.
 - (iv) Licensing Sub-Committee D
Councillor Lucas (Chairman)
Councillors Moore and J. Yabsley.
 - (v) Licensing Sub-Committee E
Councillor Mrs Barker (Chairman)
Councillors Lane and Wilkinson.
- (f) That the appointed Sub-Committees be restricted in that they may not further delegate any of their powers to an officer of the Council or any other body.

5 AMENDMENT TO HACKNEY CARRIAGE AND PRIVATE HIRE POLICY

The Committee received an update from the Lead Officer – Licensing regarding an amendment to the Hackney Carriage and Private Hire Policy.

The Lead Officer – Licensing advised that the rehabilitation periods prescribed under the Rehabilitation of Offenders Act 1974 had recently been amended. This change impacted upon the Council’s Hackney Carriage and Private Hire Licensing Policy and as a consequence an update was sought.

She further advised that Section 139 of The Legal Aid, Sentencing and Punishment of Offenders Act 2012 brought about changes to the Rehabilitation of Offenders Act 1974 on the 10th March 2014. The changes were made by the Government in an effort to cut the amount of time during which convictions would be regarded as unspent. Under the new system, rehabilitation periods for community orders and custodial sentences would comprise the period of the sentence plus an additional specified period, rather than all rehabilitation periods starting from the date of conviction as it was under the current regime.

She stated that whilst hackney carriage driving was a regulated occupation and the principles of the Rehabilitation of Offenders Act 1974 did not apply to hackney carriage driver licence applicants, Appendix H of the Council’s Hackney Carriage and Private Hire Licensing Policy did include the rehabilitation periods from the Rehabilitation of Offenders Act. Therefore, these were now out of date and had been updated and approval of the amendments was now sought.

RECOMMENDED to the Executive that the amendments to Appendix H of the Council’s Hackney Carriage and Private Hire Licensing Policy be approved in line with the tracked changes shown in appendix one of the report.

6 LATE NIGHT ECONOMY VISIT

The Chairman advised that this had been brought to the Committee owing to the poor turnout of Members on the late night economy visit.

The Lead Officer – Licensing advised that two emails had been sent to those Members who had expressed their interest and out of the four Members only one had attended on the evening in question.

RESOLVED, that a letter of apology be sent from the Committee to PC Daw together with their thanks for his continuing efforts for the improvements that had been made to the night time economy as a result of his hard work.

Chairman

The meeting ended at 10.17 a.m.

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.