

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## LICENSING COMMITTEE

### MINUTES OF THE MEETING HELD ON

**14 MAY 2009**

Councillors Present : Tony Linden (*Chairman*) (P), Peter Argyle (P), Jeff Beck (P), Paul Bryant (P), Billy Drummond (P), Adrian Edwards (P), Geoff Findlay (P), Manohar Gopal (P), Owen Jeffery (P), Mollie Lock (P), Gwen Mason (*Vice-Chairman*) (P), Andrew Rowles (P), Ieuan Tuck (P), Quentin Webb (P)

#### PART I

#### **4. APOLOGIES.**

No apologies for absence were received.

#### **5. MINUTES.**

The Minutes of the meeting held on 23 February 2009 were approved as true and correct record and signed by the Chairman, subject to Councillor Billy Drummond being added to attendance.

#### **6. DECLARATIONS OF INTEREST.**

There were no declarations of interest received.

#### **7. ANNUAL REPORT FROM RESPONSIBLE AUTHORITIES**

Brian Leahy attended the meeting and provided a general overview of the work the Council's Licensing team had undertaken, in co-operation with the Council Partners', over the last year.

Members were provided with an update on the number of taxi licences issued within West Berkshire:

- Hackney Carriage Vehicle 194 of which 19 were new licences
- Hackney carriage Driver 301 of which 35 were new licences
- Private Hire Vehicle 134 of which 34 were new licences
- Private Hire Driver 119 of which 27 were new licences
- Private Hire Operator 64 of which 12 were new licences

Members received an update on the number of licenses that were refused, revoked or surrendered. Brian also reported that there had been 438 inspection checks of vehicles and drivers and 55 inspections of private hire records

The Committee was informed that 93 vehicles were disabled friendly by having either a swivel seat fitted or being wheelchair accessible. It was accepted that the swivel seat option was not popular, however the DfT had commissioned a consultation exercise regarding DDA and taxis which was due to be published at the end of the Summer. Officers agreed to report back to the committee once the outcome of the consultation was available.

Members were informed of the Train to Gain initiative that introduced a NVQ Level 2 in road passenger transport. In West Berkshire there were 18 drivers engaging with the scheme, three of whom were shortly to finish their 12 week course.

The AGM were also informed that the following licenses were in place and the number of visits that officers had conducted:

<b>Licensing Reform</b>		<b>Visits in 2008/9</b>
Premises Licences	26	354
Personal licences	134	
Temporary Event Notices	556	12
Variations	9	
Transfers	36	
DPS variations	129	
Interim Authority	3	
Review of premises	3	

There were 504 licensed premises of which 354 premises had been visited by officers over the last year. Premises that were seen as low risk were not visited. Brian also informed that there were a total of 1016 personal licences as well as the following miscellaneous licences:

Riding Establishments	8	8
Scrap Dealers	3	4
Skin Treatments	111	15
Street Traders	22	16
Animal Boarding	13	16
Gambling Premises	18	18
Zoos	2	4
Caravan Parks	14	6
Dangerous Wild Animal	2	4
Dog Breeders	1	2
Pet Shops	10	18
Civil Marriages	26	6
Lotteries	192	
Gaming machines	72	
Sunday Trading	8	
Street Collection Permits	254	

Members were informed that there had been 5 taxi prosecutions with 1 formal warning and 2 taxi appeals. Throughout the year there had also been 499 service requests, which were request by the public asking officers to investigate complaints.

Members were informed that officers were also active partners in a number of initiatives some of which were; Partnership Intelligence Monitoring and Mapping System (PIMMS), the Alcohol Action Group, Drink Safe, the Alco Concern workshops, Safety Advisory Group and they participate in the Safety Communities Partnership Team Action weeks. Licensing Liaison Group and the Taxi Liaison Group with Unitary Partners. Naleo and the Institute of Licensing. Newbury Neighbourhood Action Group. The team were also responsible for the enforcement of Pavement Licences issued by Highways Officers.

Officers were also allocated to attend Pub Watch meetings in Newbury, Thatcham, Theale, Pangebourn, Burghfield/Mortimer, Hungerford and Tilehurst.

Members asked if there were any common cause for reviews or suspensions of taxi licenses. Brian responded that there were prosecutions if an operator acted in contradiction of the law or the Council's conditions.

Members also raised concern about the increased number of offences relating to children and drink. Brian replied that this was a concern of the Council and our partners. A number of workshops had been proposed throughout the year to educate children at risk and there would also be a meeting with the press.

The Chairman thanked Brian Leahy for his presentation and introduced Chief Inspector Johnston.

The AGM were informed that there had been 240 police related incidents regarding premises within West Berkshire during the last year. These incidents related to occurrences of drunkenness, disorderly conduct and drug seizures amongst others. Many of the drug seizures have been from door staff within the licensed premises and this is a pleasing result as it confirms that a responsible attitude to this type of offence is being taken in line with the licensing objectives. On many occasions the reports to police continue to be received by staff members and this again highlighted the responsible attitude being taken by members of the licensing trade.

The use of CCTV within West Berkshire continued to be proving a success in providing evidence for prosecutions in public order and assaults cases and it is envisaged that this will improve by the end of 2009 with enhanced technology and increased training. It is one of the main evidence gathering tools used by the Police

There had been 41 test purchases of alcohol by trading standards in retail premises and off licenses with 6 failures. 18 test purchases took place in Public houses with 6 failures. Licensees that have failed have been brought before the Alcohol Action Group for the development of improved ways to train and monitor staff to be able to deal with this type of offence. Trading Standards had worked with police and licensing officers to develop a 2 hour course for all licensed premises staff which will highlight areas to look for when serving potentially under age customers.

The Alcohol Action Group continues to deal with incidents of glass and bottle related assaults, as well as serving drunken people. The group again was working with licenses to help reduce and eventually eradicate these types of offence. One method is the use of polycarbonates if appropriate.

Working with partners the police have been working to increase the awareness of under age drinking and the effects that irresponsible drinking has on the health of all. With this in mind Operation Drink safe, a partnership initiative working on alcohol related matters is now entering its second phase. There are 4 main aims of Drink safe:

1. reduce the amount of underage sales of alcohol
2. reduce the amount of alcohol related crime within West Berkshire towns
3. change the attitude of younger people towards binge drinking by making it socially unacceptable and
4. raise the awareness of health related issue that are associated with irresponsible drinking.

The AGM were also informed that public order offences and assaults between the hours of 9pm and 3am over 2 years was down. During this period assaults were down from 202 during 2007/08 to 151 during 2008/09. For the same period public order offences had dropped from 141 to 117.

Members raised concern that evidence of drug usage in open spaces continued to be reported by neighbourhood wardens. Members were informed that the use of wardens and the increased use of CCTV would help alleviate this problem.

The Chairman thanked Thames Valley Police for their presentation and introduced Theresa Bashford and Kevin Thompson from Trading Standards, West Berkshire Council.

Kevin Thompson explained that the Council had conducted 125 test purchases with 15 sales, of which those to note are:

	<b>Attempts</b>	<b>Sales</b>
Alcohol	41	6
Knives	8	0
Cigarettes	30	2
Alcohol in pubs	18	6

The results were in line with the south east average.

David Oram from the Hackney Carriage Association reported that there needed to be more police presence when clubs closed, especially in the Market Place and the town centre over weekends.

As taxis could no longer use the Wharf car park as an overspill, more taxi parking spaces were required. David was asked what time it was problematic and he replied from 8 pm onwards but especially difficult after 10pm. Councillor Beck said he would see if a solution could be found.

The Chairman thanked David Oram and introduced Michael Hutchins from the West Berkshire Disability Alliance.

Michael Hutchins informed Members that he would be focusing his presentation on his experience of using taxis within west Berkshire as a wheel chair user. Michael also said he would be referring to experiences of other disabled users of taxis. Michael said that unfortunately his presentation would cover issues previously raised at this committee.

Members heard how operators of taxis who were equipped for disabled passengers were often busy during the day the main problem with accessibility remained during the evenings. Michael also raised concern that there seemed to be little information regarding which firms were tailored for disabled users, how to book them and what type of disability that they were equipped to cater for. There were regular operators that relationships could be established with, but they had to operate within their own working routine.

Another issue of concern raised by Mr Hutchins was the equipment used by taxi drivers and the training given to users. Members were informed that taxi drivers were willing to aid disabled users but that they were not always able to operate the equipment to a satisfactory standard and the clients therefore did not often feel safe. He understood that legislation was due that may help alleviate the situation and that the Council had set up a working party to look into his concerns at a previous meeting of this committee.

David Oram agreed to liaise with Michael Hutchins to see if a register of taxis that could transport disabled users could be produced.

Members said that there may be a need to re-establish the Disabled Access Task Group if a solution could not be found by the trade and once the government consultation results were available.

The Chairman thanked Michael Hutchins for his presentation and introduced Peter Sadler from Newbury Pub Watch who reported that as previously mention at the

meeting his members had worked closely with the Police and West Berkshire Council that had resulted in a decrease in crime. Peter reported that although Pub Watch was working well there was a concern about a decrease in trade in Newbury.

Members raised concern about people drinking and smoking outside establishments causing anti social behaviour. Brian Leahy replied that certain premises did have licences to allow drinking outside their premises and that there was nothing the Council could do to stop people smoking in public. This was a national issue since smoking in the workplace was banned and more people stood outside premises to smoke. Any solution would require legislation from Government.

Anna Shiner informed Members that the Environmental Health team had been consulted on a number of new applications and made 2 representations. There had been 83 complaints regarding noise nuisance relating to 41 premises. The Council did provide an out of hours service that had not seen a dramatic increase in calls due to the new licensing regime; this was largely down to close working with partners. In response to Members questions the committee were informed that the out of hours team did not inspect the conditions of a licence when they are called to attend an incident, however actions are noted and passed to the licensing team and the police recalled if required.

Ros Haynes informed Members that she worked with The West Berkshire Local Safeguarding Children Board and aimed at protecting young people from harm. The board's role with regards to licensing was to investigate if there were any concerns raised about potential harm to children. The board work with its partners of which the police were one and they supported their objections at a recent review. The board will also look into who is responsible for transporting children to improve vetting procedures. This process would also include vetting taxi drivers if they were hired for school runs.

*(The meeting commenced at 6.30 p.m. and closed at 8.00 p.m.)*

**CHAIRMAN** .....

**Date of Signature:** .....