

M I N U T E S

meeting: **LICENSING COMMITTEE**

date: **17 OCTOBER 2012**

PRESENT:-

Councillors Dass (Chair), Angus, Banger, Bolshaw, Clarke, Claymore, Inston, M Jaspal, Mrs Patten, N A Patten and John Rowley.

APOLOGIES FOR ABSENCE:-

An apology for absence was submitted on behalf of Councillor Judith Rowley.

IN ATTENDANCE:-

Delivery

L Banbury - Democratic Support Officer
S Hardwick - Solicitor

Education and Enterprise

C Parr - Licensing Manager
E Moreton - Section Leader (Licensing)

Wolverhampton
City Council



Declarations of Interest

98. No interests were declared.

Minutes

99. Resolved:-
(a) That the minutes of the meeting held on be approved as a correct record, subject to the inclusion of apologies for absence on behalf of Councillor M Jaspal.

(b) That the minutes of the meetings of the Licensing Sub-Committee held on 14 and 18 September, and 4 October 2012 be approved as a correct record and adopted.

Schedule of Outstanding Minutes (Appendix 33)

The Democratic Support Officer submitted a report, which set out a schedule of outstanding minutes together with details of when it was expected that reports on individual items would be presented for consideration.

100. Resolved:-
That the report be received.

Legal Proceedings (Appendix 34)

The Democratic Support Officer submitted a report, which outlined details of legal proceedings determined by Wolverhampton Magistrates' Court following consideration of matters delegated to the Licensing Committee.

The Licensing Manager advised that there had been a recent change in emphasis of enforcement to concentrate on overt operations, in response to the Hackney Carriage Trade's request for more visible enforcement. There would, however, be some covert patrols undertaken during the forthcoming Christmas period.

101. Resolved:-
That the report be received.

Consultation Response to Law Commission Provisional Reform Proposals for Taxi Licensing (Appendix 35)

The Licensing Manager presented a report, which outlined the Council's response to the Law Commission in respect of proposed reforms to Hackney Carriage and Private Hire licensing arrangements. It was noted that, due to the timing of the Law Commission's visit and closing date of the consultation, it had not been possible to present the response in formal draft to the Committee. It was further noted that the Law Commission was expected to publish their response to the consultation in Spring 2013 and this would be presented to the Committee.

Responding to Councillors' questions, the Licensing Manager advised that there was already tension between the Hackney Carriage and Private Hire trades regarding the respective merits of a single or two tier fleet. The Trades had been well represented at the consultation meeting and had had the opportunity to formulate and submit their own responses. The Local Government Association, Institute of Licensing and National Association of Licensing and Enforcement Officers had submitted individual responses. The report had been submitted for information only at the consultation stage, as such had no direct financial or legal implications and had been drafted in accordance with normal Council practice.

102. Resolved:-
(a) That the report be received.

(b) That details of the consultation response be sent to the three Wolverhampton Members of Parliament, together with Baroness Heyhoe-Flint and Lord Turner.

Responsible Authorities Forum (Appendix 36)

The Licensing Manager presented a report, which provided information on the Forum established due to a number of issues reported by Councillors at the Sub-Committee and the introduction of the Licensing Authority and Public Health as Responsible Authorities following the implementation of the Police reform and Social Responsibilities Act 2011.

It was noted that, with the exception of the minutes of the initial meeting presented with the report today, the minutes of the monthly meetings of the Responsible Authorities Forum would not be presented to the Licensing Committee, in order to ensure that Councillors were not seen as pre-empting any decisions to be made at Licensing Sub-Committee hearings.

103. Resolved:-
That the report be received.