

Licensing Committee

Minutes - 29 November 2017

Attendance

Members of the Licensing Committee

Cllr Alan Bolshaw (Chair)
Cllr Rita Potter (Vice-Chair)
Cllr Greg Brackenridge
Cllr Ian Claymore
Cllr Patricia Patten
Cllr John Rowley
Cllr Daniel Warren
Cllr Anwen Muston
Cllr Zee Russell
Cllr Judith Rowley

Employees

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|----------------|-----------------------------|
| Chris Howell | Licensing Manager |
| Elaine Moreton | Section Leader Licensing |
| Arif Sain | Equalities Manager |
| Joanne Till | Section Leader Licensing |
| Lorraine Jones | Section Leader Licensing |
| Sarah Hardwick | Senior Solicitor |
| Jonathan Lloyd | Senior Licensing Officer |
| Donna Cope | Democratic Services Officer |

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for absence**
Apologies were received from Councillors Keith Inston (approved attendance on other Council business) and Christopher Haynes.
- 2 Declarations of interest**
There were no declarations of interest.

3 **Minutes of previous meeting**

Resolved:

That the minutes of the meeting of the Licensing Committee held on 27 September 2017 be confirmed as a true record and signed by the Chair.

4 **Matters arising**

Councillor Judith Rowley referred to page 4, point 7 of the previous minutes. She stated that as a member of the Transport Development Committee, through their consultation, she had made comments regarding child safety in licensed vehicles.

5 **Licensing Sub-Committee - 7 September 2017 - Minutes**

Resolved:

That the minutes of the meeting of the Licensing Sub-Committee held on 7 September 2017 be confirmed as a true record and signed by the Chair.

6 **Licensing Sub-Committee - 13 September 2017 - Minutes**

Resolved:

That the minutes of the meeting of the Licensing Sub-Committee held on 13 September 2017 be confirmed as a true record and signed by the Chair.

7 **Licensing Sub-Committee - 26 September 2017 - Minutes**

Resolved:

That the minutes of the meeting of the Licensing Sub-Committee held on 26 September 2017 be confirmed as a true record and signed by the Chair.

8 **Licensing Sub-Committee - 11 October 2017 - Minutes**

Resolved:

That the minutes of the meeting of the Licensing Sub-Committee held on 11 October 2017 be confirmed as a true record and signed by the Chair.

9 **Ask Angela Campaign**

Arif Sain, Head of Equalities, presented a report seeking formal agreement for officers to develop and implement the 'Ask Angela' campaign and receive progress reports.

The campaign aims to reduce sexual violence and vulnerability. It provides the customer of a licenced premises with a nondescript phrase they can use to gain assistance from staff members.

Members agreed that the campaign has huge potential and suggested that it be extended to include public transport. Concerns were raised regarding the training and safeguarding of staff members in participating venues.

Councillor Russell suggested the council's Safeguarding and Domestic Violence teams could assist and help promote the campaign.

The Section Leader and Arif Sain, Head of Equalities, provided the following responses to issues raised by the Committee:

- Updates of the campaign would be provided to members;

- Participating venues would receive written guidance and a briefing on the scheme, conducted by Council officers and partners;
- The initiative would be launched with a publicity campaign on 7 December 2017;
- The press and social media would promote the scheme, and posters and leaflets would be published at minimal cost.
- The partners would include West Midlands Police, Pub Watch and CWCs Community Safety Unit.

Resolved:

That Members of the Licensing Committee formally agreed the proposed 'Ask Angela' campaign and would receive further progress reports.

10

Consultation on proposals for changes to Gaming Machines and Social Responsibility Measures

A Committee Member expressed concerns about the length of some of the reports tabled. The Chair agreed that he would ask officers to consider including hyperlinks in documents to supporting information, where appropriate. The Chair was emphatic that members should have access to all the relevant information to enable them to make an evidenced based decision.

Joanne Till, Section Leader, Licensing, presented a report requesting that Members consider the consultation on proposed changes to gaming machines and social responsibility measures and provide comments.

Members were supportive of the consultation. They noted that irresponsible gambling could lead to further social problems. It was agreed that mosques and temples would be included in the consultation.

Councillor Warren acknowledged these issues but stressed that most people who gambled did so responsibly. He was disappointed that online gambling had not been considered as part of the consultation as he felt that online gambling was potentially more harmful.

The Section Leader provided the following responses to issues raised by the Committee:

- The consultation response letter from CWC omitted online gambling as those details were not requested;
- Social responsibility was part of the Gambling Act and online gambling was monitored very stringently;
- Members can raise concerns regarding online gambling at question 16 within their responses.

The Section Leader agreed to circulate the consultation questions to Members electronically and requested that responses were submitted by 9 January 2018.

The Chair encouraged Members to respond to the consultation.

Resolved:

That Members of the Licensing Committee would consider the consultation on proposed changes to gaming machines and social responsibility measures and provide responses.

11 **Licensing Update**

The Licensing Manager gave a verbal update on the current licensing position.

12 **Consultation Response on amendments to Driver / Vehicle / Operator Conditions**

Chris Howell, Licensing Manager, presented a report asking Members to:

1. Approve the revised conditions for Private Hire Driver's, Vehicle's and Operator's attached at Appendix B.
2. Note that the proposed amendments have been subject to a consultation exercise.
3. Note that seven responses were received and changes are shown in Appendix A.

The Licensing Manager explained the proposed revised conditions and confirmed why the proposed draft changes were necessary due to changes brought about by the recent onset of technology within the private hire trade and the intricacy of cross border hiring.

Members agreed to delegate authority to the Licensing Manager in consultation with the Chair of Licensing to make such grammatical changes as required but that do not alter the meaning of the condition.

The rewording of condition 10.1 was agreed.

Councillor Anwen Muston was concerned that all staff employed in a role where they interacted with members of the public would be subject to a Basic Disclosure Barring Service (DBS) check and not an Advanced DBS check.

Sarah Hardwick, Senior Solicitor, explained that CWC were not legally allowed to request an 'Enhanced' DBS for operator staff.

The Licensing Manager advised Members that obtaining a Basic DBS was a good starting point and that staff had written to Government requesting that an online register of drivers be implemented.

Resolved:

That Members of the Licensing Committee:

1. Approved the revised conditions and implementation date for Private Hire Drivers, Vehicles and Operators attached at Appendix B.
2. Noted that the proposed amendments have been subject to a consultation exercise.
3. Noted that seven responses were received and changes are shown in Appendix A.

13 **Hackney Carriage and Private Hire Vehicle Driver's and Operator's Right to Work Checks**

Chris Howell, Licensing Manager, presented a report asking Members to:

1. Authorise the introduction of an administrative charge to recover costs for processing immigration requests on behalf of applicants who cannot confirm immigration status or provide sufficient evidence of a right to work in the UK.
2. Approve the proposed charge for the right to work check as outlined in section 5.2 of the report as of 1 January 2018.

The Licensing Manager provided the following responses to issues raised by the Committee:

- The proposed administrative charge of £125 had been determined by the average time it took officers to carry out works associated the check;
- When applying for a licence every driver had to prove they had a right to work in the UK;

Resolved:

That Members of the Licensing Committee:

1. Authorised the introduction of an administrative charge to recover costs for processing immigration requests on behalf of applicants who cannot confirm immigration status or provide sufficient evidence of a right to work in the UK.
2. Approved the proposed charge for the right to work check as outlined in section 5.2 of the report as of 1 January 2018.