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Blackpool Council

29 November 2022

To: Councillors Baker, Brookes, G Coleman, Collett, Cox, Cross, Farrell, Hutton, O'Hara, D Scott, Sloman and Wilshaw

The above members are requested to attend the:

LICENSING COMMITTEE

Tuesday, 6 December 2022 at 6.00 pm
in Committee Room A, Town Hall.

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

(1) the type of interest concerned either a

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE LAST MEETING HELD ON 8 NOVEMBER 2022 (Pages 1 - 2)

To agree the minutes of the last meeting held on 8 November 2022 as a true and correct record.

3 FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE (Pages 3 - 6)

The Licensing Committee are requested to consider the formation of a Public Protection Sub-Committee for the remainder of Municipal Year 2022/23.

4 DATE OF NEXT MEETING

To note the date of the next meeting as 17 January 2023.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Sarah Chadwick, Democratic Governance Senior Advisor, Tel: 01253 477153, e-mail sarah.chadwick@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Present:

Councillor Hutton (in the Chair)

Councillors

Baker	Farrell	D Scott
Cox	Hunter	Sloman
Cross	O'Hara	Wilshaw

In Attendance:

Lennox Beattie, Executive and Regulatory Manager
Sharon Davies, Senior Licensing Solicitor
Lee Petrak, Trading Standards and Licensing Manager
Tyrone Wassell, Democratic Governance Advisor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 4 OCTOBER 2022

The Licensing Committee considered the minutes of the last meeting held on 4 October 2022.

Resolved:

That the minutes of the meeting of the Licensing Committee held on 4 October 2022 be approved and signed by the Chair as a correct record.

3 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Mrs Sharon Davies, Senior Licensing Solicitor, presented the recommendations of the Public Protection Sub-Committee concerning the Hackney Carriage and Private Hire Licensing Policy. The policy had been due for a full review, as the last full update had taken place in 2016, the Committee contemplated the Statutory Taxi and Private Hire Standards in relation to the current policy.

Lee Petrak, Trading Standards and Licensing Manager, brought the Committees attention to point 5.11 in the report that the Vehicle specification and exceptional quality policy would benefit from a full review which would take place in 2023. The delay in the review was to allow time to consider comments from the National Private Hire and Taxi Association.

Mr Petrak outlined that the appeals section of the policy on page 149 of the Hackney Carriage and Private Hire Licensing Policy would be better suited to the position of Trading Standards and Licensing Manager, the Committee endorsed this proposed change to the policy.

MINUTES OF LICENSING COMMITTEE MEETING - TUESDAY, 8 NOVEMBER 2022

The Committee agreed with the recommendation of the Public Protection Sub-Committee to the Hackney Carriage and Private Hire Licensing Policy amendment of the section on safeguarding to refer to both children and vulnerable people. The amended policy attached at Appendix 3c contained in the report reflected the comments already made by Public Protection Sub-Committee at its meeting on 4 October 2022.

Resolved:

The Committee considered the proposed policy, the suggestions raised by Lee Petrak in relation to paragraph 5.11 of the report requiring a future review of Vehicle specification and exceptional quality policy, the minor amendment on page 149 regarding the officer delegation and the recommendation from the Public Protection Sub-Committee regarding references relating to children and vulnerable people and agreed to recommend Executive to approve the amended Hackney Carriage and Private Hire Licensing Policy.

4 DATE OF NEXT MEETING

To note the date of the next meeting as 6 December 2022.

Chairman

(The meeting ended 6.15 pm)

Any queries regarding these minutes, please contact:
Sarah Chadwick Democratic Governance Senior Advisor
Tel: 01253 477153
E-mail: sarah.chadwick@blackpool.gov.uk

Report to:	LICENSING COMMITTEE
Relevant Officer:	Mark Towers, Director of Governance and Partnerships
Date of Meeting:	6 December 2022

FORMATION OF A PUBLIC PROTECTION SUB-COMMITTEE

1.0 Purpose of the report:

1.1 Members are requested to consider the formation of a Public Protection Sub-Committee for the remainder of Municipal Year 2022/23.

2.0 Recommendation(s):

2.1 To agree to the formation of a politically balanced Public Protection Sub-Committee with a membership of 5.

2.2 Subject to the approval of 2.1 above, to note the membership of the proposed Sub-Committee as informed by the Group Leaders.

2.3 That the functions assigned to the Public Protection Sub-Committee continue to be those as set out in Part 3 of the Council's Constitution.

2.4 To consider whether or not to appoint at this meeting, the Chairman and Vice-Chairman of the Public Protection Sub-Committee.

2.5 To request the Public Protection Sub-Committee to consider the start time of its future meetings.

3.0 Reasons for recommendation(s):

3.1 Following the recommended confirmation of the Committee structure at the Council meeting on 30 November 2022, if the Licensing Committee wishes to delegate functions to a Public Protection Sub-Committee such a body needs to be created.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 Not to create a Public Protection Sub-Committee which would mean that all the functions previously delegated would remain the responsibility of the Licensing Committee.

5.0 Council priority:

5.1 The relevant Council priority is

- “Communities: Creating stronger communities and increasing resilience”

6.0 Background information

6.1 The Council at its meeting on 30 November 2022 will consider the political balance and be recommended to recommend to the Licensing Committee the re-appointment of a politically balanced Public Protection Sub-Committee with a membership of 5. The functions assigned to the Sub-Committee are recommended to remain as set out in Part 3 of the Council’s Constitution. The Council will be asked to recommend that the Sub-Committee continues to meet on a monthly basis.

6.2 The functions of the Licensing Committee under the Licensing Act 2003 would continue to be discharged by panels consisting of 3 members of the Licensing Committee. Members are reminded that these Panels are appointed as required by the Head of Democratic Governance.

6.3 If the Committee agrees to the creation of a Public Protection Sub-Committee, it should also consider whether it wishes to appoint a Chairman and Vice-Chairman at this meeting or to leave the appointments for consideration by the Sub-Committee itself.

6.4 In line with the decision at its annual meeting on 18 May 2022 and previous years the Council will not agree a set meeting time for the Public Protection Sub-Committee as given the length of the previous meetings it is considered that 6pm may on occasion not be suitable. The Public Protection Sub-Committee would be asked to agree that meetings start at 6pm except where the business to be transacted will in the view of officers take significantly longer than two hours when a revised start time will be agreed after consultation with the Chairman and Vice-Chairman.

6.6 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 This Committee was recommended to be reconstituted at the meeting of the Council on 30 November 2022 and as such the Public Protection Sub-Committee would have to be reconstituted for the remainder of this Municipal Year, in order for it to carry out its duties.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

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