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Ribble Valley
Borough Council

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Dear Councillor

The next meeting of the **LICENSING** Committee will be held at **6.30 pm** on **TUESDAY, 6 SEPTEMBER 2022** in the **Council Chamber**.

I do hope you can be there.

Yours sincerely

M. H. Scott

CHIEF EXECUTIVE

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **TO APPROVE THE MINUTES OF THE PREVIOUS MEETING** (Pages 3 - 4)
3. **DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS**

Members are reminded of their responsibility to declare any disclosable pecuniary, other registrable or non-registrable interest in respect of matters contained in the agenda.

4. **PUBLIC PARTICIPATION**

ITEMS FOR DECISION

5. **HACKNEY CARRIAGE FARES** (Pages 5 - 8)
Report of the Chief Executive enclosed.
6. **HACKNEY CARRIAGE AND PRIVATE HIRE KNOWLEDGE TEST** (Pages 9 - 10)
Report of the Chief Executive enclosed.
7. **CHILD SEXUAL EXPLOITATION TRAINING** (Pages 11 - 12)
Report of the Chief Executive enclosed.

ITEMS FOR INFORMATION

8. **TAXI/PRIVATE HIRE VEHICLE LICENSING OPERATION** (Pages 13 - 14)

Report of the Chief Executive enclosed.

9. **REBUILDING THE UK'S NIGHT-TIME ECONOMY** (Pages 15 - 16)

Report of the Chief Executive enclosed.

10. **MINUTES OF LICENSING SUB-COMMITTEE** (Pages 17 - 24)

Minutes of the Licensing Sub-Committee meetings of 6 June 2022, 14 June 2022, and 11 July 2022 enclosed.

11. **REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES**

None.

12. **EXCLUSION OF PRESS AND PUBLIC**

None.

Electronic agendas sent to members of Licensing – Councillor Stella Brunskill JP (Chair), Councillor Jan Alcock JP, Councillor Richard Bennett (Vice-Chair), Councillor Ian Brown, Councillor Steve Farmer, Councillor Gaynor Hibbert, Councillor Simon Hore, Councillor Angeline Humphreys, Councillor Richard Newmark, Councillor Donna O'Rourke, Councillor Simon O'Rourke, Councillor Sarah Rainford, Councillor James (Jim) Rogerson, Councillor Gary Scott and Councillor Robin Walsh.

Contact: Democratic Services on 01200 414408 or committee.services@ribblevalley.gov.uk

Minutes of Licensing

Meeting Date: Tuesday, 14 June 2022, starting at 6.30 pm
Present: Councillor S Brunskill (Chair)

Councillors:

J Alcock	D O'Rourke
S Farmer	S O'Rourke
G Hibbert	J Rogerson
S Hore	G Scott
A Humpheys	R Walsh
R Newmark	

In attendance: Head of Legal and Democratic Services and Solicitor

92 APOLOGIES FOR ABSENCE

Apologies for the meeting were received from Councillors R Bennett, I Brown and S Rainford.

93 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 12 April 2022 were approved as a correct record and signed by the Chairman.

94 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, other registrable or non-registrable interests.

95 PUBLIC PARTICIPATION

There was no public participation.

96 DRINKS SPIKING AND LICENSED PREMISES

The Chief Executive submitted a report informing Committee about a letter circulated to local authorities by the Home Office regarding the spiking of drinks and advising Committee of the steps taken by the Council regarding this issue.

Members were reminded of numerous reports in the press and media regarding an apparent increase in the spiking of drinks in late 2021.

The report included an open letter sent on 1 April 2022 by the Minister of State for Crime, Policing and Probation which was circulated to local authority licencing committees.

The report explained the offences and their maximum penalties in relation to drinks spiking, and the reclassification of a drug being used to spike drinks and its consequential change in maximum sentencing and imprisonment.

The Council had distributed documents prepared by Lancashire Constabulary and a local security company providing information and guidance for premises to licenced premises and at relevant meetings.

Information and advice for residents in relation to this issue had also been posted on the Council's website on 16 December 2021.

There had been reports of drink spiking in the Ribble Valley but no patterns or repeat premises had been identified.

Committee discussed potential ways in which members of the public could protect themselves in respect of this issue.

97 MINUTES OF ESAG MEETING

Committee received the minutes of the Ribble Valley Event Safety Advisory Group held on 12 May 2022.

98 LICENSING SUB-COMMITTEE TRAINING FOR MEMBERS

Members were provided training with an overview of the Licensing Act 2003.

99 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

100 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 6.37 pm

If you have any queries on these minutes please contact the committee clerk, Rebecca Tait rebecca.tait@ribblevalley.gov.uk.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

meeting date: TUESDAY, 6 SEPTEMBER 2022
title: HACKNEY CARRIAGE FARES
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To seek Committee's views about whether Hackney Carriage fares should be reviewed.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives -
- Corporate Priorities -
- Other Considerations -

2 BACKGROUND

2.1 Hackney Carriage fares were set by Committee on 10 August 2006 and last reviewed in 2017. Those fares are set out in Appendix 1 to this report.

2.3 The mechanism for setting fares for Hackney Carriages is set out in the Local Government (Miscellaneous Provisions) Act 1976, section 65. This section provides that a district Council may:

- fix the rates or fares within its district as well for time as for distance; and
- fix all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle.

2.4 When a district council wishes to vary the table of fares, it must publish, in at least one local newspaper circulating in the district, a notice setting out the table of fares and the period (which shall not be less than 14 days from the first publication of the notice) within which, and the manner in which, objections to the proposed table of fares can be made. A copy of the notice has to be deposited at the Council offices and available for inspection at all reasonable hours for a period of 14 days from the date of first publication. If no objection is received, or all objections are withdrawn, the new table of fares comes into operation on the date of expiration of the period specified in the notice, or the date of withdrawal of the objection, whichever is the later. In the event that an objection is received, a further report would be brought to Committee, setting out details of the objection.

2.8 Once the fares are set, it is an offence under section 58 of the Town Police Clauses Act (TPCA) 1847 to charge more than the fare shown on the meter, plus any legitimate extras.

2.9 Section 54 of the TPCA allows agreement to be made in advance of hiring a Hackney Carriage that a sum less than that shown at the end of the hiring will be paid, and once

such an agreement has been made it is an offence for the driver to demand more than was agreed in advance.

3 ISSUES

3.1 Committee will appreciate that fares and charges have not been increased for 16 years. Hackney Carriage drivers have been content with this, as fares remained competitive with the level of charges for private hire vehicles. However, in the course of 2022, the costs of providing the service have increased significantly due to a number of factors including, in particular, the cost of fuel. It should be noted that the average price of fuel at present (based on government statistics is £1.71.14 (unleaded) and £1.82.92 (diesel), compared to 95.74p (unleaded) and 97.93p (diesel) in 2006. This is placing considerable economic pressure on the Hackney Carriage licence holders and whilst the increase in fees will also have an impact on the public, it is considered proper that the fares are increased given the substantial length of time since they were set. The proposed increase has been set at a rate which will reflect the increase in costs to drivers but not impact too heavily on the public. The increase in the cost of valeting a vehicle is based on the actual current cost of this to licence holders. It is recommended that fares and charges should be increased as set out in Appendix 1.

3.4 It is proposed that the matter be discussed at the annual taxi meeting scheduled for 21 September 2022, which will allow the licence holders the opportunity to present any consultation responses they wish before the end of the relevant period. It is also proposed that the fares should be reviewed annually going forward.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources }
 - Technical, Environmental and Legal }
 - Political }
 - Reputation }
 - Equality & Diversity }
- The Council has a duty to provide an effective system of Hackney Carriage Licensing and review of the fares contributes to the process. Costs for advertising etc will be met from existing budgets.

5 RECOMMENDED THAT COMMITTEE

5.1 Approve the proposed fares set out in Appendix 1 to this report.

5.2 Authorise the Head of Legal and Democratic Services to advertise the proposed table of fare as required by legislation.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

APPENDIX 1

FARE	CURRENT	PROPOSED
For a journey of up to 1 mile	£3.30	£4.50
For a journey exceeding 1 mile, for the first mile	£3.30	£4.50
Plus for each 1/5 th mile or part of	£0.40	£0.70
Waiting time – for each period of one minute or uncompleted part thereof	£0.35	£0.50
For the hiring begun between 12 midnight and 6am	The standard rate or fare plus 50%	The standard rate or fare plus 50%
For hiring begun between 7pm and 12 midnight on Christmas Eve and New Year's Eve	The standard rate or fare plus 50%	The standard rate or fare plus 50%
For hiring begun between 12 midnight on Christmas Eve until 6am on 27 December and 12 midnight on New Year's Eve until 6am on 2 January	The standard rate or fare plus 100%	The standard rate or fare plus 100%
Valeting soiling in a vehicle	£25	£60

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 6 SEPTEMBER 2022
title: HACKNEY CARRIAGE AND PRIVATE HIRE KNOWLEDGE TEST
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of proposed revision of the knowledge test undertaken by prospective Hackney Carriage and Private Hire vehicle drivers.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- The Council aims to be a well-managed authority supporting residents and local business in providing a quality service.

2 BACKGROUND

2.1 For many years the Council has used a knowledge test as part of its assessment of whether an applicant for a private hire or hackney carriage licence is a fit and proper person to hold a licence.

2.2 The existing knowledge test requires applicants to answer a series of questions on routes in Clitheroe and/or Longridge and rural routes. Applicants must describe particular routes by naming each and every road involved in traveling between identified locations by the most efficient route. This includes A and B road numbers in rural locations. The applicant is also required to answer questions on where a particular landmark is situated; hackney carriage bylaws and the highway code. The applicant has to achieve a minimum number of points on each page of the test.

2.3 An applicant is allowed to re-sit a test if unsuccessful on four occasions but if they continue to be unsuccessful, they are debarred from further attempts for one year.

3 ISSUES

3.1 The knowledge test remains an important part of assessing whether an applicant is a fit and proper person to hold a licence and ensures that the public can have confidence that a licenced driver will know the area and take the most efficient route. However, the way in which the current test is set and marked, requires full details of the route and so whilst a driver may correctly identify the most appropriate route, if they miss a part of it in their description, they are not awarded the marks.

3.2 The purpose of the test is to ensure that applicants have the required knowledge and not that they are able to list this information, as such it is proposed that the knowledge test be amended so that it includes multiple choice questions to applicants inviting them to select which of three routes is the shortest between two identified locations. In order to identify this, they would require the same knowledge as they do presently.

3.4 It is also proposed that rather than requiring applicants to score a minimum figure on each page of the test, a minimum overall score should be achieved. It is considered that such steps will still require demonstration of a minimum standard of local knowledge, whilst not discouraging applicant's from applying.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources } – Resources will be expended in reformulating the revised knowledge test
- Technical, Environmental and Legal } - Retaining the knowledge test is an important factor in assessing whether an applicant is a fit and proper person to hold a licence
- Political } - None
- Reputation } – Having a robust procedures to assessment and applicant's fitness to hold a licence enhances the reputation of the authority.
- Equality & Diversity } – The Council will ensure that any reasonable adjustments to these procedures are made where required.

4 **RECOMMENDED THAT COMMITTEE:**

4.1 Authorise the Head of Legal and Democratic Services to revise the knowledge tests as set out above.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 6 SEPTEMBER 2022
title: CHILD SEXUAL EXPLOITATION TRAINING
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To enable Committee to determine the appropriate manner of training required for applicants for Hackney Carriage and Private Hire drivers' licences in respect of child sexual exploitation (CSE) and identifying the signs of CSE.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- Provision of the appropriate training will enhance the safety and security of both residents and drivers.

2 BACKGROUND

2.1 Hackney Carriage and Private Hire drivers licenced by the Council are required to have completed a course in respect of safeguarding against and identifying the signs of Child Sexual Exploitation. To date this has been provided using a free online course run by Lancashire County Council ("LCC"). Unfortunately, LCC has now withdrawn access to this course.

2.2 Completion of this course remains an important aspect of the licencing process and so it is proposed that another provider is designated to provide this training.

3 ISSUES

3.1 It is proposed that applicants should be required to complete the safeguarding course provided by the Blue Lamp Trust in the future. This course covers a wider range of issues than that previously offered by LCC, it covers not only the issue of CSE but wider issues of safeguarding as follows:

"The course aims to provide Hackney Carriage and Private Hire drivers with a knowledge and understanding of Safeguarding, their responsibilities and best practice protocols. The candidate will be able to:

Understand what is meant by the term 'safeguarding'

Identify adults at risk and other vulnerable people

Understand what is meant by Child Sexual and Criminal Exploitation, Human Trafficking, Modern Slavery and Domestic Abuse.

Recognise types of abuse, associated signs and indicators.

Identify suspicious activities.

Know how, and the whom, they can report concerns.

Understand their safeguarding responsibilities and best practice protocols."

- 3.2 The Blue Lamp Trust is a not-for-profit organisation and is an experienced provider of such courses to over 100 licensing authorities at a relatively modest course fee to the applicant. Courses can be provided either by the applicant attending a presentation in a virtual classroom for 2 ½ hours (cost £25) or viewing 3 modules of e-learning over one hour (cost £10) followed by a test consisting of 10 questions with a pass mark of 70%.
- 3.2 Officers have assessed the merits of the different courses and consider that the preferred option is the virtual classroom. This assessment is based on the following factors: better training of applicants; the assurance to the Council that training has properly been undertaken by the correct applicant, and consequentially there should be greater reassurance for residents and customers as to the quality of training which has been undertaken by drivers.
- 3.4 Throughout the course, attendees are encouraged to note their concerns and report these to their operator. Currently, there is no requirement for operators to have a trained safeguarding lead to receive such reports and refer them to any appropriate authority. Consideration could be given to requiring operators to nominate a safeguarding lead, and for that person to undergo appropriate training and refresher courses.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – no additional implications identified.
- Technical, Environmental and Legal – approval of the course will enable drivers to meet their legal obligations.
- Political – no implications identified.
- Reputation – the Council's reputation will be enhanced through consideration of this matter.
- Equality & Diversity – no implications identified.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Resolve that applicants for Hackney Carriage and Private Hire drivers' licences in the Ribble Valley should attend the virtual classroom provided by the Blue Lamp Trust for taxi driver safeguarding training and that any consequential amendments be made to the Council's taxi policy and licence conditions.
- 5.2 Authorise the Head of Legal and Democratic Services to consult with operators and other interested parties on the introduction of a condition requiring each operator to nominate a safeguarding lead and to provide for their initial and refresher training.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: 6 SEPTEMBER 2022
title: TAXI/PRIVATE HIRE VEHICLE LICENSING OPERATION
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of the results of an inspection of licensed private hire and hackney carriage vehicles.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
- Corporate Priorities } Consideration of these issues will promote the
- Other Considerations } Council's aim to be a well managed Council

2 BACKGROUND

2.1 On 13 June 2022, the Council's Taxi Enforcement Officer carried out an inspection of licensed private hire and hackney carriage vehicles, in a joint operation with the Police, and Vehicle and Operator Services Agency.

3 ISSUES

3.1 The Council's Taxi Enforcement Officer inspected six vehicles. All were found to be of the required standard, which is a positive reflection of the taxi and private hire fleet in the Ribble Valley and should reassure members of the public with regard to their safety and comfort in travelling in the area.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – No implications identified.
- Technical, Environmental and Legal – Improved control of licence holders should improve public safety.
- Political - No implications identified.
- Reputation – Improved public safety will enhance the Council's reputation.
- Equality & Diversity – No implications identified.

5 CONCLUSION

5.1 Committee is asked to note the contents of this report.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 6 SEPTEMBER 2022
title: REBUILDING THE UK'S NIGHT-TIME ECONOMY
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of amendments to the principal issues considered at a training webinar attended by the Council's licensing enforcement officer on Rebuilding the UK's Night-time Economy: Recovering from Covid-19 and Creating a Safe, Diverse, Thriving Night-time Economy.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- The Council aims to be a well managed authority to make peoples lives safer and healthier and to support business.

2 BACKGROUND

2.1 A half day virtual round table by way of a training exercise was organised by the Public Policy Exchange to consider developments in the night-time economy since the pandemic, and possible developments in the future. The event was held on 4 August 2022 and heard from Members and officers at a number of metropolitan and city authorities and others involved in the regulation and promotion of the night-time economy. The smallest authority from which a contributor attended was Exeter City council, where the BID manager gave a presentation.

2.2 Whilst many aspects of the presentation were geared towards and more relevant to large towns and cities, attendance was useful in becoming aware of trends and possible initiatives with regard to the night-time economy.

3 ISSUES

3.1 Highlighted Factors:

- The night-time economy is defined as events and businesses operating between 6pm and 6am and should include shops, supermarkets, cinemas as well as licensed premises.
- Research shows that only about 4.3% of crime at night is alcohol related, but licensed premises get the brunt of criticism for night-time crime.
- People have been going out earlier in the evening and returning home earlier.
- Footfall is estimated to be 10-15% lower than before Covid-19.
- There has been an increase in people going for a 'blended' night out, in that they will take in a meal or a film, or go shopping, before going for a drink, rather than solely going out to drink.

- In many places the night-time economy brings more into an area than the daytime economy, with it being stated that some such areas are vibrant and attractive with raised house prices, and a desire from others to visit or move to that area.
- The key to rebuilding the night-time economy is creativity, safety and transport.
- There was specific mention of deregulation of aspects of licensing and planning rules to encourage growth. It is understood that a government report is to be released in this respect in the course of September 2022.
- Licensing applications and reviews need to be based on facts and not on conjecture or speculation about what might happen. The views of residents must be considered, but these need to be balanced with the needs of business.

4 **CONCLUSION**

4.1 Committee is asked to note the content of this report.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Monday, 6 June 2022, starting at 10.05 am
Present: Councillor S Hore (Chair)

Councillors:

S O'Rourke

J Alcock

In attendance: 2 Part-Time Licensing Officers, Taxi Enforcement Officer, and Administration Assistance (Licensing).

- 49 WELCOME
- 50 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP
- 51 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS
- 52 VARIATION OF PREMISES LICENCE - SPREAD EAGLE, MELLOR

The Sub-Committee met to consider the application of Greene King Brewing & Retailing Ltd for variation of the premises licence under Section 34 of the Licensing Act 2003 in respect of the Spread Eagle Hotel, Mellor Lane, Mellor BB2 7EG ("the premises").

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services and its appendices.

The report under Appendix B advised the sub-committee that the applicant had originally sought variation of opening hours and the sale of alcohol from 8am daily.

Mr Bradbury (the Business Development Manager of the applicant) made verbal representations to the Sub-Committee on behalf of the applicant and responded to points and questions put by the sub-committee. Mr Bradbury confirmed that the application had been amended from opening at 8am daily to opening from 9.30am on Saturdays and Sundays only. He confirmed of the intent to offer a premium brunch experience with the option to purchase suitable accompanying alcoholic beverages.

It was noted that the applicant had also submitted a planning application for an outdoor terrace and although the change of opening hours would include the outdoor space the planning application was otherwise separate and unrelated to the licencing decision. If planning permission were granted, Mr Bradbury confirmed that any necessary licensing applications would be submitted.

Representations were also made by way of objection in emails detailed in the report. The Council's solicitor confirmed that 2 of the objections had been withdrawn, following amendment of the application. The details of the one remaining objection were read and put to Mr Bradbury who advised that the applicant was sensitive to the views of local residents.

The Licensing Sub-Committee carefully considered the representations made by all parties, both written and verbal, together with the Licensing Act 2003 and relevant guidance, the relevant regulations and the Council's Statement of Licensing Policy.

The Notice of Determination can be viewed at the following link:
[Spread Eagle Notice of Determination.pdf \(ribblevalley.gov.uk\)](#)

RESOLVED:

The Sub-Committee resolved to grant the amended application requesting opening and sale of alcohol from 9.30 am on Saturdays and Sundays only.

53 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That by virtue of the next items of business being exempt information under paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 that press and public be now excluded from the meeting.

54 LICENCE HEARING - TAXI (PERSON 1)

The Sub-committee received a report from the Head of Legal and Democratic Services informing them of an application for a private hire driver's licence and requesting that the Sub-committee determine whether the applicant was a fit and proper person to hold such a licence.

The applicant attended the hearing and made submissions and responded to questions by the Sub-committee.

The applicant currently held a Hackney Carriage driver's licence with another local authority.

The applicant gave permission for the Council to contact that authority to establish whether there were any areas of concern, before reaching a final decision on the application.

RESOLVED:

That a decision on the application by the Sub-committee would be reached following receipt of information from the other authority and any related representations.

55 LICENCE HEARING - TAXI (PERSON 2)

The Sub-Committee received a report from the Head of Legal and Democratic Services requesting that they determine whether an existing private hire driver remained a fit and proper person to hold a private hire driver's licence, due to the number of penalty points accumulated on the driver's DVLA licence exceeding 6, being the number which could be accepted under the Council's Policy and Guidelines on Relevant Convictions without reference to the Sub-committee.

The Council's solicitor noted that the driver reported that he had only received odd numbered pages of the agenda. The driver was provided with a full hard copy agenda on arrival and then confirmed to the Sub-Committee that he wished to proceed with the hearing notwithstanding advice from his solicitor to request an adjournment, and that he did not wish to be legally represented.

The driver attended the hearing and made submissions and responded to questions by the Sub-committee.

The Licensing Sub-Committee took account of all the submissions and the Council's convictions policy. Based on the number of convictions and resulting points the Sub-

Committee determined that there were no reasons to depart from the Council's policy and that the driver was not a fit and proper person to hold a licence.

RESOLVED:

That the driver's licence be revoked.

The meeting closed at 11.05 am

If you have any queries on these minutes please contact the committee clerk, Rebecca Tait Rebecca.Tait@ribblevalley.gov.uk.

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Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Tuesday, 14 June 2022, starting at 6.15 pm
Present: Councillor S Hore (Chair)

Councillors:

S O'Rourke J Alcock

In attendance: Solicitor

89 WELCOME

90 EXCLUSION OF PRESS AND PUBLIC

That by virtue of the next items of business being exempt information under paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 that press and public be now excluded from the meeting.

91 RECONVENING OF SUB-COMMITTEE - LICENCE HEARING OF TAXI 6 JUNE 2022

The Sub-committee reconvened for deliberation on 14 June 2022 with regard to an application for a private hire driver's licence which had been considered initially on 6 June 2022.

It had been resolved on 6 June 2022 that a decision on the application by the Sub-committee would be reached following receipt of information from another authority and any related representations.

The applicant had given permission for the Council to contact the other authority to establish whether there were any areas of concern, before reaching a final decision on the application.

The Sub-committee took into account all of the submissions, both written and verbal, the references received since the earlier hearing, the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Council's Statement of Policy and Guidelines on Relevant Convictions ("the Policy"), the Council's Policy for the Licensing of: Hackney Carriage Drivers and Vehicles Private Hire Operators, Drivers and Vehicles, the application form and the enhanced DBS certificate.

The Sub-committee determined that, on balance and taking all matters into consideration, the driver's application under section 51 of the Local Government (Miscellaneous Provisions) Act 1976 should be refused as they were not satisfied that the applicant was a fit and proper person to hold to hold a private hire driver's licence.

The meeting closed at 6.25 pm

If you have any queries on these minutes please contact the committee clerk, Rebecca Tait Rebecca.Tait@ribblevalley.gov.uk.

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Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Monday, 11 July 2022, starting at 11.00 am
Present: Councillor S Brunskill (Chair)

Councillors:

S Hore S O'Rourke

In attendance: Solicitor, 2 Part-Time Licensing Officers (Alcohol & Entertainment)

Also in attendance: Kellie Hughes (Director of Tapas Forty Seven Limited), Danielle Roberts (Director of Tapas Forty Seven Limited), John Threlfall (Whalley Parish Council)

176 WELCOME

177 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP

There were no apologies.

178 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, or other registrable and non-registrable interests.

179 PREMISES LICENCE APPLICATION - EVENT SPACE, GISBURNE PARK ESTATE - WITHDRAWN PRIOR TO HEARING

The Premises Licence Application in respect of the Event Space at Gisburne Park Estate, which had been listed for consideration by the Sub-Committee, had been the subject of negotiation between the applicant and other parties who had made representations, resulting in agreement between the parties and the consequential withdrawal of the representations, enabling the licence to be granted on agreed terms and the removal of the application from the agenda for the meeting.

180 PREMISES LICENCE APPLICATION - TAPAS FORTY SEVEN, WHALLEY

The Sub-Committee met to consider the application of Tapas Forty Seven Limited for a premises licence in respect of Tapas Forty Seven, 47 King Street, Whalley, Clitheroe, BB7 9SP.

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services dated 11 July 2022 and its appendices ("Report").

The solicitor explained the application and drew specific attention to the Cumulative Impact Assessment (CIA) for Whalley and Painter Wood, as contained in the Council's Statement of Licensing Policy 2021-2026 and as contained in part 2 of the CIA 2022-2025. The Sub-Committee were reminded of the written representations received, where two of the individuals who had made representations were not able to attend the meeting.

The Directors of the Applicant made verbal representations to the Sub-Committee and explained that they were seeking to open a high-end dining establishment, which was family orientated. Final orders for food would be taken at 20.30 hours and for drinks at 21.15 hours. They anticipated that 85% of customers would have booked in advance. All customers would be seated – customers would not be allowed to stand at the bar to consume alcohol. No customers would be allowed into the premises

purely for the purpose of drinking – all customers would be dining customers. They anticipated that the premises would accommodate approximately 25 to 30 covers. The Directors of the applicant responded to questions confirming plans for disabled facilities, soundproofing, CCTV, and the types of alcohol they would offer. They also confirmed that they would agree to additional conditions requiring; the frontage of the premises to be tidied after closing time, no bottle sorting and disposal between 22.00 hours and 08.00 hours, and restricting the supply of alcohol only to customers who were dining at the premises.

The representative for the Parish Council reiterated the terms of the CIA, and advised the sub-committee that the Parish Council did not hold a meeting without Anti-social behaviour coming up as an issue. The Parish Council were of the view that “enough is enough” and raised concern about where customers would go when the premises close, albeit that this was up to 10:00 hours. Attention was drawn to the other two written representations contained in the report, as well as the ongoing problems reported by residents in the Queen Street and Accrington Road area.

The Licensing Sub-Committee gave careful consideration to the representations made by all parties, both verbal and written. The Sub-Committee also considered the requirements of the Licensing Act 2003, the Statutory Guidance, the licensing objectives, the relevant regulations, the Council's licensing policy, and the CIA.

Having considered all of the above the Sub-Committee resolved to grant the Applicant's application for a premises licence as applied for (and clarified at the hearing), subject to additional conditions as considered at the hearing and in correspondence with the police and the Council's licensing enforcement officer and subject to an earlier terminal time for the sale of alcohol. Members were mindful of the steps being taken to promote the licensing objectives to address concerns about the operation of premises which could have been open later had there not been a premises licence in place for the hours requested.

Having taken all matters into account, the Sub-Committee were satisfied in the particular circumstances that the applicant had discharged the burden in the Statement of Licensing Policy and had demonstrated how the application would not undermine the licensing objectives.

RESOLVED:

That the licence be granted, subject to variation of the final time for the supply of alcohol being varied to 21.30 hours, and to imposition of conditions which had been agreed with the police and licensing enforcement officer and additional conditions agreed at the meeting.

The Sub-Committee decision is available at <https://www.ribblevalley.gov.uk/downloads/file/3170/tapas-forty-seven-whalley>.

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EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 11.25 am

If you have any queries on these minutes please contact the committee clerk, Rebecca Tait Rebecca.Tait@ribblevalley.gov.uk.