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Ribble Valley
Borough Council

www.ribblevalley.gov.uk

Dear Councillor

The next meeting of the **LICENSING** Committee will be held at **6.30 pm** on **TUESDAY, 30 JANUARY 2024** 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 5 - 6)
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 7 - 14)
Report of the Chief Executive enclosed
6. **OPERATORS' LICENCE FEES** (Pages 15 - 18)
Report of the Chief Executive enclosed
7. **ELAP SEATS AND WHEELCHAIR ACCESSIBLE VEHICLES** (Pages 19 - 22)
Report of the Chief Executive enclosed

8. **MAXIMUM AGE FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES** (Pages 23 - 26)

Report of the Chief Executive enclosed

9. **HACKNEY CARRIAGE NUMBERS** (Pages 27 - 30)

Report of the Chief Executive enclosed

ITEMS FOR INFORMATION

10. **HACKNEY CARRIAGE STANDS** (Pages 31 - 34)

Report of the Chief Executive enclosed

11. **TAXI/PRIVATE HIRE LICENSING OPERATIONS** (Pages 35 - 36)

Report of the Chief Executive enclosed

12. **TAXI AND PRIVATE HIRE VEHICLE LICENSING BEST PRACTICE GUIDANCE UPDATED 17 NOVEMBER 2023** (Pages 37 - 40)

Report of the Chief Executive enclosed

13. **TRAINING STANDARD ISSUED BY LOCAL GOVERNMENT ASSOCIATION AND INSTITUTE OF LICENSING** (Pages 41 - 48)

Report of the Chief Executive enclosed

14. **LETTER FROM THE MINISTER OF STATE FOR CRIME, POLICING AND FIRE** (Pages 49 - 52)

Report of the Chief Executive enclosed

15. **MINUTES OF SUB COMMITTEES** (Pages 53 - 64)

Minutes of Sub Committee on 27 October 2023

Minutes of Sub Committee on 16 November 2023

16. **MINUTES OF ANNUAL TAXI MEETING ON 28 NOVEMBER 2023** (Pages 65 - 70)

17. **MINUTES OF EVENT SAFETY ADVISORY GROUP MEETINGS** (Pages 71 - 74)

Minutes of meeting on 30 October 2023

18. **EXCLUSION OF PRESS AND PUBLIC**

There are no items under this heading

Electronic agendas sent to members of Licensing – Councillor Stella Brunskill JP, Councillor Ian Brown (Chair), Councillor Steve Farmer, Councillor Gaynor Hibbert, Councillor Richard Newmark, Councillor Simon O'Rourke, Councillor James (Jim) Rogerson, Councillor Gary Scott, Councillor Robin Walsh, Councillor Derek Brocklehurst, Councillor Michael Graveston, Councillor Kieren Spencer, Councillor Malcolm Peplow and Councillor Mark French.

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

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Minutes of Licensing

Meeting Date: Tuesday, 31 October 2023, starting at 6.30 pm
Present: Councillor I Brown (Chair)

Councillors:

S Brunskill	R Walsh
S Farmer	D Brocklehurst
G Hibbert	M Graveston
D O'Rourke	K Spencer
S O'Rourke	L Street
G Scott	M Peplow

In attendance: Head of Legal and Democratic Services and Solicitor

434 APOLOGIES FOR ABSENCE

Apologies for the meeting were received from Councillors R Newmark and J Rogerson.

435 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 5 September 2023 were approved as a correct record and signed by the Chairman.

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

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

437 PUBLIC PARTICIPATION

There was no public participation.

438 ANNUAL TAXI MEETING

The Chief Executive submitted a report regarding preparations for the Annual Taxi Meeting, the purpose of which is to provide an opportunity for communication between the Council and those holding licences issued by the Council.

Members views were sought in relation to who should be invited to the meeting and potential agenda items. Suggested items included a review of hackney carriage fares and potentially increasing the number of hackney carriage plates, with a view to subjecting them to new quality restrictions e.g. being wheelchair accessible.

RESOLVED THAT COMMITTEE:

1. Noted the proposed arrangements for the Annual Taxi Meeting
2. Advised the Head of Legal and Democratic Services of any matters which Members might wish to be discussed at the meeting and agreed the proposed

list of persons to be invited to assist the Committee at the meeting, including in particular, representatives of visually impaired groups.

439 ANNUAL FEES AND CHARGES

The Chief Executive submitted a report to determine the annual fees for hackney carriage, private hire, scrap metal and sex establishment licences. It was proposed that the fees should be increased by 4% in respect of these licences, with the exception being the cost of a replacement plate and bracket for hackney carriage/private hire licences, which would remain the same.

RESOLVED THAT COMMITTEE:

1. Agreed to set the fees for Hackney Carriage and Private Hire Licences for the year 2024/2025 as those set out in Appendix 1 of the report.
2. Agreed to set the fees for Scrap Metal Dealers Licences for the year 2024/2025 as those set out in Appendix 2 of the report.
3. Agreed to set the fees for Sex Establishment Licences for the year 2024/2025 as those set out in Appendix 3 of the report.

440 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

441 MINUTES OF SUB-COMMITTEES

The minutes of the two Sub-Committees held on 24 August 2023 and 22 September 2023 were noted.

442 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

443 TRAINING SESSION TO FOLLOW ON SUB-COMMITTEES

Members undertook relevant training in relation to sitting on Licensing Sub-Committees.

The meeting closed at 6.51 pm

If you have any queries on these minutes please contact the committee clerk, Jenny Martin jenny.martin@ribblevalley.gov.uk.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

meeting date: TUESDAY, 30 JANUARY 2024
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 } Consideration of these issues will promote the Council's aim to be a well managed Council.
- Other Considerations }

2 BACKGROUND

2.1 Hackney Carriage fares were set by Committee on 6 September 2022 having previously remained static since 2006. The 2006 fares and those proposed and approved in September 2002 are set out in Appendix 1 to this report. The current fares as shown on the Council website are set out in Appendix 2.

2.2 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:

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

2.3 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.

2.4 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.

2.5 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 At the annual taxi meeting, Hackney Carriage representatives reported that their members were content with the current standard day rates but reported that customers had questioned the level of night-time rates, as they considered that £6.75 for the first mile and £1.05 for each 1/5 of a mile thereafter was too high. These figures were calculated on the basis of the standard day rate plus an uplift of 50%, which was the same formula as had applied from 2006 to 2022. The representatives requested consideration be given to reduction of the uplift, although they did not indicate what level of uplift they considered to be reasonable.

3.2 Officers have endeavoured to establish the position for other local authorities. Fare structures and tariffs vary, and each authority has a different table of fares, depending on its particular circumstances. However, there are certain authorities with a broadly similar structure to that of Ribble Valley Borough Council, and some of those (eg North Yorkshire, Rossendale and Lancaster) apply a 50% uplift to their daytime rates for the hours where they apply nighttime rates. Others have variable uplifts, including a number which adjust the distance over which a particular fare is calculated for the purpose of night-time rates. Broadly, these authorities appear to have an uplift in the region of 20% to 33% on the daytime rates.

3.3 The issue which has to be considered is the concern expressed by customers to Hackney Carriage drivers. The Hackney Carriage representatives requested that the uplift be reviewed due to this customer concern. Committee is requested to consider the issue and determine whether it will be appropriate to reduce the uplift and, if so, to what rate.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources }
- Technical, Environmental and Legal } 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.
- Political }
- Reputation }
- Equality & Diversity }

5 RECOMMENDED THAT COMMITTEE

5.1 Determine whether there should be a reduction in the night-time tariff in the table of fares for Hackney Carriages, and, if so, to set a figure by which the night-time tariff be reduced, by prescribing a new percentage uplift compared to day time fares.

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

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

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

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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

BOROUGH OF RIBBLE VALLEY HACKNEY CARRIAGE TABLE OF FARES (AS FROM 1st October 2022)

For a journey of up to 1 mile		£4.50
For a journey exceeding 1 mile: for the first mile		£4.50
PLUS for each 1/5th mile or part of		£0.70
Waiting Time		
For each period of one minute or uncompleted part thereof		£0.50
Extra Charges		
(a) For hiring begun between 12 midnight and 6am	the standard rate or fare plus 50%	} £6.75 up to 1 mile + £1.05 for each 1/5 mile
(b) For hiring begun between 7pm and 12 midnight on Christmas Eve and New Year's Eve	the standard rate or fare plus 50%	
(c) 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%	£9.00 up to 1 mile + £1.40 for each 1/5 mile
(d) Valeting for fouling in a vehicle	£60.00

TAXI/HACKNEY TABLE OF FARES

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: 30 JANUARY 2024
title: OPERATORS LICENCE FEES
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To determine whether there should be any variation in the fees charged for a private hire operator's licence.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- The Council aims to be a well managed Council, providing efficient services based on identified customer needs. The fees charged for licences form part of that service and should reflect the costs incurred whilst being set at a reasonable level for licence holders.

2 BACKGROUND

2.1 At its meeting on 31 October 2023, this Committee set fees for the licensing of operators of private hire vehicles, amongst other fees. Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 (as amended) ("the Act") provides that a district Council may charge such fees for the grant of an operator's licence as they may resolve from time to time and are sufficient to cover in whole or in part any reasonable administrative or other costs in respect of control and supervision of private hire vehicles. Fees should be set at a level which does not exceed the costs of administering the licensing process, and this cost is assessed as part of the fee setting process. In October 2023, Committee raised the relevant fees by 4%, which was the figure by which officers had been advised that costs had increased.

2.2 An operator's licence can be issued for one year, three years or five years, and the cost depends on the number of vehicles licensed. For five vehicles or fewer, the cost of a one year licence is £190.50; a three year licence is £504.50; and a five year licence

is £840.90. For each additional vehicle over five, the cost is £15.50 for a one year licence; £39.60 for a three year licence; and £65.30 for a five year licence.

2.3 Each local authority sets its own fees, taking into account its own particular circumstances, but adhering to the principles in 2.1 above.

2.4 The operator has certain responsibilities, and they must demonstrate compliance where appropriate and requested by the Council. In particular, they must:

- ensure there is valid planning permission and appropriate public liability insurance in respect of premises from which they operate.
- ensure that the standard conditions for operators, vehicles and drivers are available for inspection at the premises.
- allow entry for inspection of any documents.
- refuse entry to or remove any drunk or disorderly people from the premises and prohibit smoking on the premises.
- ensure drivers have appropriate qualifications, and, unless a booking has been validly sub-contracted, ensure that services are provided by Ribble Valley licensed drivers and vehicles.
- carry out appropriate checks on employees to satisfy themselves that the employee is a fit and proper person to undertake tasks and retain information to evidence this.
- keep records of all vehicles operated under their licence.
- at the time of booking and before commencement of each journey, log details of the journey and customer on record sheets, including details of any sub-contracting and shall retain these and make them available for inspection if so required.

2.5 Section 56 of the Act stipulates that for the purposes of the Act, every contract for hire of a private vehicle is deemed to be made with the operator who accepted the booking, whether or not he himself provided the vehicle.

3 ISSUES

3.1 At the annual taxi meeting, an operator requested that the Council look at operators' fees, as he considered they were too high for what he considered to be the operator's role as a booking agent.

- 3.2 Officers have reviewed the fees charged by other nearby authorities. As stated, the fees will reflect the particular circumstances of each authority and vary considerably in amounts, duration of licences, and the numbers of vehicles licensed for each staged fee increase.
- 3.3 By way of illustration, the fees for Blackburn with Darwen and North Yorkshire councils only apply to licences for one year or five years and vary with the size of the fleet operated. Fees in Blackburn with Darwen are set for one vehicle (annual - £220; 5 year £419); two to five vehicles (annual £309; 5 year £831), six to thirty vehicles (annual £608; 5 year £2,331), and 31 or more vehicles (annual £1,774; 5 year £7,193). North Yorkshire fees for up to two vehicles are £370 for one year (£490 for five years); three to 10 vehicles for one year are £530 (£690 for 5 years); eleven to fifty vehicles for one year are £690 (£850 for five years), and 51 and over vehicles for one year are £950 (£1,170 for five years).
- 3.4 Blackburn with Darwen is particularly relevant as the operator concerned has previously had involvement with that authority as a driver and operator.
- 3.5 As can be seen, different authorities have different approaches to establishing the costs involved. The fees charged by Ribble Valley Borough Council do not compare unfavourably with those of other authorities. However, given the specific request, Committee is requested to review the fees charged for operators' licences. It should be noted that the operator concerned did not put forward any evidence to suggest that the fees charged by the Council are not a reflection of the true cost; rather he sought to diminish the role and responsibilities of a private hire operator.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – any reduction in fees will incur the cost of advertisement in a local newspaper. The Operators fees are set to ensure that the costs of administering those licences and ensuring compliance are fully recovered.

- Technical, Environmental and Legal – committee must set fees at a level which does not exceed the cost of administering the process. This had been assessed at the time of setting the fees.
- Political – N/A
- Reputation – N/A
- Equality & Diversity – N/A

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Review the fees set for the issue of operators' licences and determine that the fees asset on 31 October 2023 be maintained.

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: 30 JANUARY 2024
title: ELAP SEATS AND WHEELCHAIR ACCESS PROVISION
submitted by: MARSHAL SCOTT, CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 Committee is requested to determine whether there should be consultation on variation of the Council's Licensing Policy in respect of Hackney Carriages, Private Hire vehicles, drivers and operators in respect of provision of wheelchair accessible vehicles and vehicles with ELAP seats.

1.2 Relevance to the Council's ambitions and priorities

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

2 BACKGROUND

2.1 The Council's policy for licensing Hackney Carriage drivers and vehicles, Private Hire operators, drivers and vehicles ("the Policy") states at 2.2 that of the 53 Hackney Carriages licensed by the Council, 4 are fully wheelchair accessible and 8 have ELAP seats. An ELAP seat is a rotating manual swivel seat enabling users to transfer on to the car seat whilst it is rotated up to 90 degrees outside the vehicle.

2.2 The 4 wheelchair accessible and 8 ELAP licensed were issued on condition that the vehicles remained as such.

3 ISSUES

- 3.1 At the annual taxi meeting, some proprietors had requested discontinuance of the requirement for ELAP seats. It was considered that such seats were not satisfactory, and proprietors stated that certain other authorities had withdrawn the requirement for such seats. It was also noted that other authorities had a policy requirement for all Hackney Carriages to be wheelchair accessible.
- 3.2 There was further discussion on the general suitability of wheelchair accessible vehicles, and the approach taken by certain drivers to people with a disability. Preference was expressed for side opening vehicles rather than back loading vehicles. Currently, all applicants for a new Hackney Carriage or Private Hire driver's licence have to undergo disability awareness training with the Blue Lamp Trust; this does not apply on renewal.
- 3.3 Committee is requested to consider whether there should be amendment of the policy in respect of provision of Hackney Carriages for disabled users, and to introduce disability awareness training as a condition for existing drivers, with a requirement that such training be renewed at a specified interval. The policy was first approved in April 2017, reviewed in September 2018, and the Head of Legal and Democratic Services has delegated powers to amend it where required by legislation or to comply with a resolution of Committee to change the Council's requirements or procedures.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications
- Resources – officer time will be utilised in consultation.
 - Technical, Environmental and Legal – N/A
 - Political – N/A
 - Reputation – N/A

- Equality & Diversity – amendment of the policy will provide clarity and support for disabled residents.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Authorise the Head of Legal and Democratic Services to consult with the trade and with all interested or affected parties on any proposed amendment to the policy, and to report back to Committee.

STEPHEN BARKER

MARSHAL SCOTT

SOLICITOR

CHIEF EXECUTIVE

BACKGROUND PAPERS

None

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

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: 30 JANUARY 2024
title: MAXIMUM AGE; HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To determine whether the Council's Hackney Carriage and Private Hire vehicle licence conditions should be amended, to withdraw the requirement for vehicles over 7 years old to be tested and licensed every 4 months.

1.2 Relevance to the Council's ambitions and priorities

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

2 BACKGROUND

2.1 The Council issues vehicle licences for Hackney Carriages and Private Hire vehicles, subject to conditions. Condition one for each type of vehicle is identical stating that:

"The term of a vehicle licence is determined by the age of the vehicle. The vehicle licence terms are:

- a) *vehicles under 3 years old – 12 months*
- b) *vehicles over 3 years old but less than 7 years old – 6 months; and*
- c) *vehicles over 7 years old – 4 months. "*

2.2 The reason for this condition is to ensure that vehicles are regularly inspected, but in a process which is proportionate to the age of the vehicle. The fee charged for each licence is calculated proportionately. The licence fee for a four month licence is £77.60; for a six month licence the fee is £109.00; and for a one year licence the fee is £207.80.

3 ISSUES

- 3.1 Prior to the annual taxi meeting, several drivers had requested that the 4 month licence should be removed, and that all vehicles over 3 years old should be licensed for 6 months. It was suggested that Ribble Valley was one of the few Council's still issuing 4 month licences.
- 3.2 Research had been carried out of neighbouring Councils and it has been established that three Councils have 4 month licences, and that Burnley will only licence vehicles for a period of 4 months (£41 for private hire vehicles and £62 for Hackney Carriages).
- 3.3 Other Councils have a regime of 12 month licensing, or 12 month and 6 months depending on the age of the vehicle. These Councils maintain a degree of supervision by various means including imposition of a maximum age for vehicles or requiring evidence of regular maintenance to be produced and retained.
- 3.4 It is of note that, on recent vehicle inspections conducted by VOSA, the police and the Council's enforcement officer, vehicles licensed by Ribble Valley have been compliant. On some occasions, prohibition notices have been issued to vehicles licensed by other authorities.
- 3.5 It is also of note that certain drivers at the meeting supported the retention of the 4 month licence, as this was a quality check to ensure that vehicles were roadworthy.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – issue of fewer licences would free up a small amount of officer time.
 - Technical, Environmental and Legal – regular checks of older vehicles will ensure that they are in a condition that meets the Council's standards including engine efficiency and emissions testing.
 - Political – N/A

- Reputation – scrupulous and frequent inspection of vehicles, on a proportionate basis, will enhance the Council's reputation.
- Equality & Diversity – N/A

5 **RECOMMENDED THAT COMMITTEE**

5.1 Approve the retention of 4 month licences and make no amendment to Hackney Carriage and Private Hire vehicle licences.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

(If any)

For further information please ask for Stephen Barker, extension 3216

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

meeting date: 30 JANUARY 2024
title: HACKNEY CARRIAGE NUMBERS
submitted by: MARSHAL SCOTT, CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To seek Committee's approval for the Head of Legal and Democratic Services to consult all interested parties on whether the current restriction on the number of Hackney Carriages licensed by the Council should be maintained.

1.2 Relevance to the Council's ambitions and priorities

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

2 BACKGROUND

2.1 Ribble Valley is one of a minority of Councils which impose a maximum restriction on the number of Hackney Carriage licences issued. Currently, the limit is 53 Hackney Carriage vehicles of which 4 are fully wheelchair accessible and 8 have ELAP seats. It is understood that restrictions are imposed by approximately one in five licensing authorities.

2.2 Recently issued Best Practice recommended that such restrictions should not be imposed. If in place, reviews should take place regularly, approached in terms of the interest of the travelling public. Consideration should be given to the advantages and disadvantaged respectively in retention or removal of the controls and the impact on Hackney Carriage provision.

- 2.3 Transfer of Hackney Carriage vehicles can take place between different owners, provided that the Council is notified within 14 days in writing. However, there does appear to be a premium charged on the sale of such vehicles, which is considered to be a valuable asset by the Hackney Carriage trade.
- 2.4 In order to retain restrictions, extensive consultation should take place with all affected parties including users of all types and vulnerabilities and the retail and hospitality sectors.
- 2.5 Additionally, in the event of a challenge to refusal of a licence due to such a restriction, evidence should be available. This is in the form of an extensive survey, to demonstrate that there is no significant unmet demand, which should be undertaken at least every 5 years. To date, Ribble Valley Borough Council has not undertaken such a survey. The cost of the survey should be paid for by the local taxi trade through general revenues from licence fees.

3 ISSUES

- 3.1 The Council is currently in a position whereby it is part of a minority of Councils imposing a restriction in conflict with best practice issue by the Department for Transport. If the restriction is to be maintained, then the Council must have an evidence base to support it.
- 3.2 Officers have carried out some research into preparation of demand surveys. A nearby authority, which restricts its Hackney fleet to 160, recently had an updated survey carried out at a cost of £14,250. That authority had a supplement to the annual licence fee for Hackney Carriages to recoup the cost of the survey. Were Ribble Valley to carry out a similar exercise, the same cost would result in expense of £268.87 for each Hackney Carriage, or approximately £90 per vehicle each year. The survey would be carried out every 3 years, as recommended. There is no guarantee that this price would be applicable at this stage for an initial survey in the Council's particular circumstances.
- 3.3 Rather than embarking on such a survey in the first instance, Committee may wish to carry out extensive consultation, to establish the views of the various parties concerned in principle. This could then be considered alongside a more detailed costing of the survey and continuing additional costs for licence holders.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – Officer time will be utilised in consultation and in obtaining detailed quotations.
- Technical, Environmental and Legal – conducting consultation and thereafter a survey (if appropriate) will comply with best practice.
- Political – N/A
- Reputation – N/A
- Equality & Diversity – N/A

5 RECOMMENDED THAT COMMITTEE

5.1 Authorise the Head of Legal and Democratic Services to consult all interested parties on whether the current restriction on the number of Hackney Carriage licences issued by the Council should be maintained, and to obtain costings for a survey of unmet demand.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

None

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

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: 30 JANUARY 2024
title: HACKNEY CARRIAGE STANDS
submitted by: MARSHAL SCOTT, CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of the position with regard to Hackney Carriage stands (ranks) and actions being taken by officers.

1.2 Relevance to the Council's ambitions and priorities

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

2 BACKGROUND

2.1 Hackney Carriages and their drivers are licensed by the Council and are subject to conditions and bye laws. Hackney Carriages are allowed to ply for hire, unbooked, either by being flagged down or by waiting on approved ranks or stands. In contrast, private hire journeys have to be pre-booked.

2.2 The Council has 4 stands designated in Clitheroe. The stands at the top of King Lane, in the Market Place outside Cowgills (part time), and on Station Road close to Booths and the YMCA are on highways land and have been established in conjunction with Lancashire County Council (LCC). Some work may need to be carried out to the signage and road markings for these stands.

2.3 Approval has been given for creation of a stand for two Hackney Carriages on the lay by adjacent to the Platform Gallery, on land owned by the Council. The signs and markings for this stand have not yet been put in place.

- 2.4 There are currently no stands in Longridge, notwithstanding the development of a thriving night-time economy in the town. Currently, there are no Hackney Carriages based in Longridge.
- 2.5 There are currently no stands in Whalley which also has a busy night-time economy. Hackney Carriages do visit the village on busy evenings.
- 2.6 The issue of establishing further stands was considered at the annual taxi meeting and officers are undertaking actions as set out in this report.

3 ISSUES

- 3.1 Officers are liaising with LCC in relation to possible stands in the loading bay on Wellgate (part time) and in the vicinity of Holmes Mill (possibly on Greenacre Street).
- 3.2 Officers are liaising with LCC in relation to two possible part time stands in Whalley. One would be night-time use of the loading bay on Accrington Road, outside Alta, close to the junction with Queen Street. The other would use part of the bus station at night, in a part used as an occasional coach park during the day and an occasional waiting place for police vehicles at night.
- 3.3 Officers are liaising with LCC and Longridge Town Council in seeking to identify whether any locations in the town would be suitable for creation of a taxi stand.
- 3.4 Officers are establishing the likely cost involved in manufacture and erection of appropriate signage and laying down any road markings that may be required.
- 3.5 Before a stand can be created, notice has to be given to the police and public notice must also be published in a newspaper circulating in the district. The Council has to take into consideration any objection or representation in writing within 28 days of first publication of the notice.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications

- Resources – at this stage, officer time is being expended in investigating possible courses of action, and the likely cost of implementation. If further steps are taken, specific expenditure will be incurred in signage, road markings and advertising.
- Technical, Environmental and Legal – N/A
- Political – N/A
- Reputation – N/A
- Equality & Diversity – N/A

5 CONCLUSION

5.1 Recommended that committee note the content of this report.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

(If any)

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

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

INFORMATION

meeting date: TUESDAY, 30 JANUARY 2024
title: TAXI/PRIVATE HIRE LICENSING OPERATIONS
submitted by: MARSHAL SCOTT, 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 Council's aim to be a well-managed Council.
- Other Considerations }

2 BACKGROUND

2.1 On 16 November 2023, 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 Six vehicles were inspected, all of which were found to be of the required standard.

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: 30 JANUARY 2024
title: TAXI AND PRIVATE HIRE VEHICLE BEST PRACTICE GUIDANCE UPDATE
submitted by: MARSHAL SCOTT, CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform committee of the publication of best practice guidance in relation to licensing of Hackney Carriages and Private Hire vehicles, issued by the Department for Transport and the Disabled Persons Transport Advisory Committee on 17 November 2023.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
- Corporate Priorities } Consideration of this guidance and adoption of recommendations where appropriate will promote the Council's aim to be a well managed Council.
- Other Considerations }

2 BACKGROUND

2.1 Since 2006, the Department for Transport has issued guidance on taxi and private hire licensing, which is stated to assist local authorities with responsibility for such licensing. Whilst the Department states that the guidance is updated periodically, the most recent update was in 2010. Although consultation on updated guidance took place in January 2017, the guidance has only been updated on 17 November 2023.

2.2 During the intervening period in 2020, and after consultation, the Department for Transport published statutory taxi and private hire vehicle standards, setting out various requirements. A report was taken to Committee and the Council assessed its policies against the standards, updating conditions where appropriate.

3 ISSUES

3.1 A copy of the recently issued best practice guidance can be accessed on the following link:

<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance>

3.2 Members will note the plethora of further links contained within the guidance, offering further and more detailed information on various aspects of taxi and private hire vehicle licensing, including no fewer than 14 links to the 2020 standards.

3.3 There is a welcome focus on accessibility and prevention of discrimination against disabled people. Other features include recommendations on improvement of the standard of driving and assessment of the approach taken by drivers, and recommendation of removal of some burdens, such as the knowledge test for private hire drivers who are expected to plan their route in advance and to use sat nav (not currently a requirement conditioned by this authority).

3.4 Officers will review the new guidance against current procedures, policies and conditions and submit a further report to Committee on actions which are recommended to conform with the new guidance.

4 CONCLUSION

4.1 Committee is recommended to note this report and the new guidance.

STEPHEN BARKER

SOLICITOR

MARSHAL SCOTT

CHIEF EXECUTIVE

BACKGROUND PAPERS

(If any)

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, 30 JANUARY 2024
title: TRAINING STANDARD ISSUED BY THE LOCAL GOVERNMENT ASSOCIATION AND THE INSTITUTE OF LICENSING
submitted by: MARSHAL SCOTT, CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of the publication of a training standard by the Local Government Association (“LGA”) and the Institute of Licensing (“IOL”).

1.2 Relevance to the Council’s ambitions and priorities:

- Community Objectives - } Consideration of these issues will promote the Council’s aim to be a well-managed Council, and reinforce and enhance the training already offered to Members of this Committee
- Corporate Priorities - }
- Other Considerations - }

2 BACKGROUND

2.1 Licensing Committee has dual functions of formulating and applying policies on a wide range of licensable activities and regulating the conduct of such activities by determination of applications for licences where appropriate and resolving complaints about licensees when sitting in sub-committee. The second aspect is capable of being the subject of appeal, normally through the court system.

2.2 Members have already received training in relation to certain aspects of licensing, by officer presentation in Committee and by viewing videos of scenarios and mock hearings presented by Cornerstone Barristers. Members have also received copies of the Councillor handbooks issued by the LGA on the Licensing Act 2003, gambling regulation, and licensing of hackney carriages and private hire vehicles.

3 ISSUES

3.1 The LGA and IOL have issued a training standard, which identifies basic training and additional opportunities for further development. A copy of the standard is annexed at Appendix 1.

3.2 Members are also encouraged to review the standard and to consider the materials to which reference is made. For example, in addition to primary and secondary legislation in respect of most fields of licensing, the Council has produced policies which provide clarity and guidance for members, applicants and those who wish to make representations in respect of licencing matters. Further and specifically, there is statutory guidance published under section 182 of the Licencing Act 2003, and best practice guidance in respect of taxi and private hire licensing (referred to elsewhere in this agenda).

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – N/A.
- Technical, Environmental and Legal – Consideration of this review of training will enhance Members' awareness of the training required for membership of this Committee.
- Political – N/A.
- Reputation – N/A.
- Equality & Diversity – N/A.

5 CONCLUSION

5.1 That Committee note this report, the training standard and supporting material.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

None

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



Local Government Association and Institute of Licensing: Training standard published

Published Date: 10/12/2023

Introduction:

Councillors have a crucial role to play in the licensing process. As licensing committee members, they are responsible for making decisions which can affect people's livelihoods, public safety and the look and feel of our high streets, city centres and rural areas. In order to discharge that duty to a high standard, it is vital that those undertaking the role are well trained.

The Local Government Association (LGA) and Institute of Licensing (IoL) want to drive consistently high standards in licensing. This document is designed to set out what the LGA and the IoL believe to be a basic level of licensing committee member training, although this does not constitute legal advice and should not be treated as such. It also signposts to additional opportunities for further development that members of licensing committees may wish to consider.

We would expect all members with a role in determining licensing matters to complete the items shown in the basic standard of training below before sitting in a determining position, to ensure they have a solid understanding of the licensing process and are able to discharge their duties to a good standard.

Basic standard:

- Attendance at and engagement with training provided through your local council (whether that is delivered by the council's licensing and legal officer or an external provider, such as [the IoL](#) or a legal firm). Ideally, this training should last for a full day or the equivalent held over two or three shorter sessions, although we recognise this might not be possible in all cases. This could cover a specific session on the Licensing Act 2003, a specific session on taxi/ PHV licensing (where councils have responsibility for this), an overview of gambling licensing, as well as an overarching session which covers the core legislation, public safety, decision making and policy setting, amongst other issues.
- Attend annual refresher training.
- Committee members who are new to licensing should review and complete the [LGA's free online training resources](#), including the licensing e-learning module and scenario-based training videos. The LGA's councillor handbooks on the Licensing Act, gambling regulation, and taxi/PHV licensing will be helpful to councillors on an ongoing basis. The IoL also offers free e-learning training modules relating to aspects of gambling licensing law and practice.
- Read and understand your council's licensing policies and familiarise yourself with your council's role in wider areas of licensing, such as animal or pavement licensing. Councillors should also familiarise themselves with the core elements of the [S182 guidance, which accompanies the Licensing Act 2003](#), the [Department for Transport's statutory taxi/PHV standards](#), which outline the fit and proper person test, as well as the [Gambling Commission's guidance to councils](#).
- Observe or shadow a sub-committee hearing before participating in one, or watch a video of a mock hearing. [Cornerstone Barristers](#) have produced [videos which outline the key principles of the Licensing Act 2003](#) and a

mock hearing which considers an application for a variation of a premises licence. They have also produced similar videos which relate to taxi/PHV licensing. Some councils also livestream their hearings, such as Westminster City Council.

Additional opportunities for further development:

Training

- Where councils have the budget, ongoing attendance at licensing conferences, such as the IoL's national training conference or the LGA's annual licensing conference, is desirable to hear about live issues in licensing and best practice. The IoL also run a number of courses which focus on different elements of licensing in greater detail and may be helpful for a more in depth understanding. Additionally, the LGA occasionally hosts free webinars on different aspects of licensing and will consider arranging webinars on topics suggested by our members.
- Attend the [LGA Licensing Leadership Essentials Course](#), which is aimed at Chairs and Vice-chairs of committees and focuses on how a good committee is run. This is a two-day interactive course which costs £200 (this includes the course, accommodation and meals).
- If councils are members of the IoL, councillors should consider attending regional IoL meetings to hear from speakers on all areas of licensing and to network with licensing practitioners across the region. This is free to IoL members.
- Sign up to receive the IoL's email updates (free subscription), which includes the latest news, and the IoL's LINK magazine and Journal of Licensing to stay abreast of key developments in licensing. Licensing updates are also issued occasionally by many legal firms such as

Cornerstone Barristers, Francis Taylor Building, and John Gaunt and Partners Licensing Solicitors to name a few. These are generally free. The LGA also has a free 'Community Safety' bulletin, which covers key licensing updates.

Stakeholder engagement

- Meet with local best practice groups, such as Purple Flag, Pub Watch or Best Bar None, to understand what the groups do and the benefits they bring to the day and night-time economies.
- Occasionally participate in visits with licensing officers in the night-time economy area to observe partnership working schemes in action and better understand how your night-time economy operates
- Meet with local licensees to understand the challenges they face.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: 30 JANUARY 2024
title: LETTER FROM THE MINISTER OF STATE FOR CRIME, POLICING AND FIRE
submitted by: MARSHAL SCOTT, CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To distribute a letter addressed to Licensing Committees, circulated by the Alcohol Policy Team of the Home Office dated 15 January 2023 but circulated on 16 January 2024.

1.2 Relevance to the Council's ambitions and priorities

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

2 ISSUES

2.1 A letter dated 15 January 2023 has been received from the Home Office, with a request for circulation to Licensing Committee Members. A copy of the letter can be found at Appendix 1.

2.2 The Council's Statement of Licensing Policy 2021–2026 recognises the need for separation of the planning and licensing functions of the Council, to avoid duplication and possible conflicts of interest. Neither Committee is bound by a decision made by the other. However, where applications are made in respect of licensed premises, there is communication between the two departments. If there are conflicting terminal hours for premises between a planning permission and a licence, the licence holder must observe the earlier closing time.

2.3 The principle of agents of change applies to the licensing and planning regimes, in that, normally, an applicant who is introducing a new activity to a neighbourhood should take appropriate steps to mitigate the impact of that activity on existing residents or businesses.

3 **CONCLUSION**

3.1 Recommended that Committee note the content of the letter dated 15 January 2023.

STEPHEN BARKER

MARSHAL SCOTT

SOLICITOR

CHIEF EXECUTIVE

BACKGROUND PAPERS

(If any)

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

Ref: Licensing/SB/30January 2024

By email only

15 January 2023

Dear Committee Members,

As the Minister of State with responsibility for alcohol licensing, I am writing to you in relation to the important work undertaken by local licensing committees, training provision for licensing practitioners, and how licensing committees work with local planning regimes.

As you will undoubtedly appreciate, well considered licensing and planning decisions are vital to ensuring our public spaces can thrive and prosper. These decisions form a crucial part of local endeavours to create safe and welcoming night-time economies. Investing in local economies and public spaces is even more important as we continue the journey of recovery from the unprecedented global pandemic.

While decision making in these areas is quite rightly made at local level, the Government continues to support ongoing local and national activity to create vibrant public spaces. We particularly wanted to highlight activity linked to two issues that have been the subject of ongoing post-legislative scrutiny of the Licensing Act 2003 by the House of Lords. These relate to the provision of training for licensing practitioners, and the collaboration between local licensing and planning regimes.

Earlier this year, the Government convened two workshops on these matters, bringing together practitioners, other experts and civil servants to consider how we can build on, and continue to support, the strong foundations and good practice that exist in many local areas already. We are all aware that there is more that can be done to make collaboration between the two regimes more effective in order to save problems – and costs – from impacting local resources further down the line. As such, in order to continue to facilitate ongoing discussions, we have further established two small virtual groups with expert stakeholders to enable these conversations to continue.

The Government also intends to:

- further strengthen the section 182 Guidance that accompanies the Licensing Act 2003 by providing detailed advice on practical ways that local licensing and planning regimes can collaborate;
- explore how to provide further support for applicants on the importance of early identification of potential difficulties across the two regimes when making a licensing application, including clarification on the agent of change principle and what it means in practical terms for licensing applicants;
- consider whether the licensing application proforma would benefit from an additional question on potential planning requirements; and
- continue to explore possible ways of unifying pavement and off-sales licence applications.

We ask that you support this work by ensuring that all relevant local licensing officials have suitable training on matters of licensing and planning, including on the overall regimes and how the two regimes interact. We do not intend to mandate for a minimum standard or mandatory licensing training requirement - all local areas should be able to make their own decisions on what training is most valuable and necessary for their particular local needs, but we do encourage all areas to ensure that their local package is substantive. The Government will continue to support this by disseminating good practice and signposting new and updated training materials produced at a local level.

In addition, we encourage you to explore all options available to you to improve local collaboration. This may include considering opportunities to co-locate planning and licensing teams, maximising the role of planning as a responsible authority under the Licensing Act 2003, as well as continuing to engage with local residents and identify ways to support them in presenting any concerns about applications to licensing committees and how they interact with planning requirements.

Thank you for your important work that you do.



Rt Hon Chris Philp MP
Minister of State for Crime, Policing and Fire

Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Friday, 27 October 2023, starting at 10.00 am
Present: Councillor I Brown (Chairman)

Councillors:

S Brunskill

S O'Rourke

In attendance: Solicitor and Licensing Officer

- 429 WELCOME
- 430 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP
- 431 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS
- 432 EXCLUSION OF PRESS AND PUBLIC
- 433 LICENSING HEARING - TAXI

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

The applicant attended the hearing and made verbal submissions to the Sub-Committee and responded to questions from the Sub-Committee.

The Sub-committee, having taken account of all the submissions, written and verbal, the provisions of the Local Government (Miscellaneous Provisions) Act 1976, the Council's Statement of Policy and Guidelines on Relevant Convictions ("the Policy"), and the Council's Policy for Licensing of Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, determined in the particular circumstances that the applicant was a fit and proper person to hold a private hire driver's licence, and that the licence be granted as applied for with no additional conditions or restrictions.

The meeting closed at 10.14 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: Thursday, 16 November 2023, starting at 10.00 am
Present: Councillor I Brown (Chairman)

Councillors:

S Brunskill

S O'Rourke

In attendance: Helen McKee and Solicitor and Licensing Officer

492 WELCOME

493 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP

There were no apologies for absence.

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

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

495 THE FRIARY, 34 KING STREET, WHALLEY, BB7 9SL

The Sub-Committee met to consider the application by the Friary, 34 King Street, Whalley, BB7 9SL for a Premises Licence.

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services and its appendices. The Council's Solicitor introduced the premises licence application and outlined the options available to Members. It was highlighted that due under Cumulative Impact Assessment (CIA) for Whalley, the onus was on the Applicant to show that the licensing objectives were not going to be undermined.

The Applicant, Mr Daniel Stevenson, made verbal representations to the Sub-Committee. He explained that during the covid pandemic, the Friary had adapted by offering home deliveries. This had proved very popular and they were now looking to enhance the home delivery option by including the sale of alcohol. He advised that the Friary do employ their own delivery drivers and do not rely on taxis. They were predominantly looking to sell Asian beers that are not generally available in the local area which would pair well with their Chinese food.

The Applicant advised the Sub-Committee that he had consulted with local residents and the police as to his proposals. He had taken on board the concerns of a neighbour in relation to selling alcohol on the premises and had agreed that this wouldn't be done, nor would alcohol be displayed in the shop. It was submitted that the intention was for the sale of alcohol to be purely for home deliveries and to enhance this side of the business.

The Applicant outlined that the Friary delivered within a 5 mile radius and confirmed that 70% of their deliveries were to areas outside of Whalley. He further outlined details of how orders were received, the platform they used (Just Eat and Food Hub) and arrangements for deliveries.

The police had advised of situations where caution should be exercised e.g. if an order was made to a place which wasn't a fixed address or if an order came through with a small amount of food and a comparatively large amount of alcohol. The applicant advised that they had the ability to reject such orders and confirmed that deliveries would only be made to a customer's home address or to a holiday let. He also submitted that his drivers would undergo a short training course through Trading Standards.

The Applicant then explained the reasons behind the request for the Licence until 10pm. He advised that an order may be taken prior to the shop closing at 9pm, but delivery could often take between 30 to 40minutes, which would take them to after 9pm. He had not wanted to fall foul of the Licence and hadn't appreciated that the sale would be classed as taking place at the point of appropriation of the alcohol to fulfil the order. He therefore submitted that he would be content for the Licence to be amended to provide for the sale of alcohol until 9pm.

It was also submitted that there are four other businesses within Clitheroe who offer similar services, where they can deliver food and alcohol to residents in Whalley.

The Applicant responded to several questions raised by the Sub-Committee and a resident who had made representations. He provided further details as to the delivery drivers, information as to how order records would be kept, how any issues/concerns would be flagged, and the steps that drivers would operate a Challenge 25 procedure upon delivery. He advised that drivers would take steps to record the proof of identification that was provided and this would need to match with the name on the order. The Applicant provided reassurances that the Friary were not looking to sell spirits and confirmed that were willing to adhere to numerous conditions, including:

- Only delivering alcohol with a food order
- Joining Pub Watch
- Only serving alcohol in sealed containers
- Not serving alcohol to customers who appear to be inebriated

The resident raised a concern that if the Licence was granted, it would morph into another kind of Licence in due course. She was advised that any future variations would need a further application and would be considered on its own merits.

The Licensing Sub-Committee gave careful consideration to the representations made by all parties, both verbal and written and 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 appropriate conditions as considered at the hearing and in correspondence with the police and subject to an earlier terminal time for the sale of alcohol.

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.

The Sub-committee also determined that the conditions proposed by the Applicant and as agreed with the police and those agreed at the hearing should be incorporated into the licence subject to incorporation of appropriate conditions.

The Sub-committee reached this decision because it considered that the licence, as applied for, and with the conditions imposed would not breach the licensing objectives of the Licensing Act 2003.

496 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 10.52 am

If you have any queries on these minutes please contact the committee clerk, Jenny Martin jenny.martin@ribblevalley.gov.uk.

The Sub-Committee notice of determination is contained on the next page.



Ribble Valley
Borough Council
www.ribblevalley.gov.uk

SECTION 18 LICENSING ACT 2003
NOTICE OF DETERMINATION IN RESPECT OF A HEARING
WHICH TOOK PLACE ON THURSDAY 16 NOVEMBER
TO DETERMINE AN APPLICATION BY DANIEL STEVENSON
FOR A PREMISES LICENCE IN RESPECT OF THE FRIARY, 34 KING STREET, WHALLEY,
CLITHEROE, BB7 9SL.

The Licensing Sub-Committee met on 16 November 2023. The Sub-Committee comprised the following members:

Councillor I Brown - Chair
Councillor S Brunskill
Councillor S O'Rourke

Also in attendance:

Solicitor (RVBC)
Licensing Officer (Alcohol & Entertainment) (RVBC)
Committee Clerk (RVBC)
Daniel Stevenson – Applicant
Christopher O'Connor – Applicant's business partner
Mrs Lesley Luckin – Relevant representation

The Sub-Committee met to consider the application of Daniel Stevenson for a premises licence in respect of The Friary, 34 King Street, Whalley, Clitheroe, BB7 9SL.

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services 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. The Sub-Committee was reminded of the written representations received, where one of the individuals who had made representations was not able to attend the meeting.

The Applicant and his business partner explained the background to the application. Home deliveries were an expanding part of the business, and this had expanded during the pandemic, using their own drivers, and having taken on extra staff for this purpose. It was intended to deliver beers to complement food deliveries, consisting largely of low alcohol Asian beers to accompany Chinese meals which were not available in local supermarkets, and possibly white wine or prosecco to accompany fish and chips. There

was no intention to provide spirits, and the applicant was content for this to be stipulated in any licence. Alcohol would not be on display, and would be stored in a fridge at the rear of the premises. Following receipt of an order, delivery would be made to a customer's home address or to a holiday let.

The Applicant explained the business model and delivery arrangements. Orders were received by phone or over the internet and usually paid for in advance. Delivery could be up to 30 or 40 minutes after the order was placed, which was the reason for the request for later hours for supply of alcohol than the premises opening hours. However, the alcohol would be appropriated to the contract at the point of sale and dispatch, with final internet orders being taken at 8.40pm, and the applicant was content to amend the application for the terminal time for supply of alcohol to be 9.00pm.

In response to questions by the sub-committee and Mrs Luckin, the age profile of the current staff drivers was explained. A printed record of deliveries was retained, and the system enabled red flags to be placed to indicate any problem addresses. Driver would operate the Challenge 25 procedure on delivery, and would make a record of the identification produced, possibly by photographing it, and such identification would need to match the identity of the person who had placed the order.

The Applicant was prepared to join the local Pubwatch or equivalent, and was content for conditions providing for no sale of alcohol without food and for all sales to be made in a sealed container. Drivers would be instructed not to supply alcohol to customers who appeared to be inebriated, and the refund system was explained.

Mrs Luckin was invited to address the sub-committee, and explained concern that, if granted, a further application might subsequently be made for variation of the licence. It was explained that any such application would be considered on its merits at the time.

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 appropriate conditions as considered at the hearing and in correspondence with the police and subject to an earlier terminal time for the sale of alcohol.

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.

The operating schedule for the premises is as amended and as set out below:

Opening hours of the premises:	
Mon	16.30 – 20.00
Tues	11.30 – 13.30 and 16.30 – 21.00
Wed	11.30 – 13.30 and 16.30 – 21.00
Thurs	11.30 – 13.30 and 16.30 – 21.00
Friday	11.30 – 21.00
Sat	11.30 – 21.00
Sun	17.00 – 21.00
Supply of alcohol OFF the premises:	
Mon	16.00 – 21.00
Tues	16.00 – 21.00
Wed	16.00 – 21.00
Thurs	16.00 – 21.00
Fri	16.00 – 21.00
Sat	16.00 – 21.00
Sun	16.00 – 21.00

The mandatory conditions will apply to the licence as set out in **Appendix 1** to this notice.

The Sub-committee also determined that the conditions proposed by the Applicant and as agreed with the police and those agreed at the hearing should be incorporated into Annex 2 of the licence. Those conditions shall be incorporated as follows:

- Sales of alcohol shall be for consumption off the premises and shall only be supplied with, and ancillary to, a takeaway meal delivered to the customer's address.
- Any sales of alcohol shall be in a sealed container.
- A record will be retained at the premises of the name, address and contact details of the customer ordering alcohol. This record will be retained for six months and made available to the police or an authorised officer of the local authority on request.
- The premises licence holder shall ensure that a sticker or other marking is applied to all consignments of alcohol stating "This package contains age restricted products; ensure recipient is over 18" (or similar wording to the same effect).
- A refusals record must be kept at the premises which details all refusals to sell alcohol. The record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be retained for twelve months and be made available to the police or an authorised officer of the local authority on request.
- A record will be made of the identification produced at the point of delivery and retained for a period of six months, and be made available to the police or an authorised officer of the local authority on request.
- No alcohol will be delivered to anyone who appears to be under the age of 25 years, unless they produce approved identification by way of the following
 1. A recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS).
 2. Photo driving licence
 3. Passport
 4. Citizen card supported by the Home Office
 5. Official ID card issued by HM Forces or European Union Member State bearing a photograph and date of birth of the holder

- No deliveries shall be made to any street locations such as parks and will only be made to a customer's address.
- The premises licence holder shall ensure that all delivery drivers and staff receive online training regarding the Challenge 25 scheme via the Lancashire County Council Trading Standards website. Records of such training shall be retained and be made available to the police or an authorised officer of the local authority on request.
- The premises licence holder shall ensure that all employees of any third party engaged in the delivery of alcohol, eg couriers, have also been trained by their employers regarding the Challenge 25 policy. This training may be carried out via the Lancashire County Council Trading Standards website. Records of such training shall be retained and be made available to the police or an authorised officer of the local authority on request.
- The DPS will be an active member of the local Pubwatch for the area. Either the DPS or a person nominated by them will regularly attend the meetings and support the scheme.
- No alcohol shall be displayed or stored in any part of the premises to which the public have access.

The Sub-committee reached this decision because it considered that the licence, as applied for, and with the conditions imposed would not breach the licensing objectives of the Licensing Act 2003.

The parties are hereby notified that they may appeal against this decision to the Magistrates Court within 21 days beginning with the date of notification of this decision.

ANNEX 1

MANDATORY LICENSING CONDITIONS

1. Section 19 of the Act provides that where a premises licence authorises the supply of alcohol, the licence must include the following conditions:
 - (1) No supply of alcohol may be made under the premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence; or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 - (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
2. Section 19A of the Act provides that where a premises licence authorises the supply of alcohol for consumption on the premises, the licence must include the following conditions:
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The Designated Premises Supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
5. The responsible person must ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
6. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purposes of the condition set out in paragraph (1) -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$ where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of Value Added Tax chargeable in relation to the alcohol as if the Value Added Tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a

premises licence -

- (i) the holder of the premises licence,
 - (ii) the Designated Premises Supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "Value Added Tax" means Value Added Tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by Paragraph (b) of paragraph (2) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph (2) on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or Value Added Tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Minutes of Public Taxi Meeting

28th November 2023 at 6.30pm

Present Councillor Ian Brown (Chair)

Councillors:

Simon O'Rourke, Donna O'Rourke, Robin Walsh, Stella Brunskill, Derek Brocklehurst,

In attendance: Head of Legal and Democratic Services, Solicitor, Taxi Enforcement Officer, Taxi Licensing officer, Taxi Admin Assistant, LCC Compliance Manager, LCC Compliance and Training Officer and Sergeant Hall from Lancashire Constabulary.

Also Present : L Ali, I Shah, S Mehmood, M Kamran, J Iqbal, J Iqbal, N Khan, N Zaman, S Yasin, S Hussain, I Hussain, M Amin, A Shaukat, Z Ali, W Akhtar, Z Abbas, A Hargreaves, A Mayer, A Bolton, A Patel, M U Farooq, M Choudry, Hassan Mahmood, W Akbar, M Usman, H Sheriff, Q Khan, R Hussain, Tanveer Khan, R Khan, and M Iftikhar.

WELCOME AND INTRODUCTION FROM CLLR IAN BROWN AND SOLICITOR.

POLICE REPRESENTATION

Sergeant Hall from Lancashire Constabulary introduced himself and asked for questions.

Mr T Khan (Hackney Trade representative) raised the following point-

Night-time economy is difficult in Whalley because the lack of ranks, the number of out of borough taxis and cross bordering. The Hackney Trade would welcome more police at the weekend to monitor the situation and to administer stop checks. This was also in the context of parking tickets recently issued to drivers by the police in Whalley.

Sgt Hall acknowledged the issues of the night-time economy in Whalley. At present the police numbers were stretched thin, but he was mindful and would keep raising the issue. He was happy to work with the trade and the council to try to alleviate some of the problems and would help to support a new rank.

A request was made by the trade for more help for the taxi enforcement officer in Whalley, and for police officers to be present earlier in the evening "to set the tone".

The Taxi Enforcement Officer repeated his request for the trade to report issues to him with photos and videos and he would investigate.

AGENDA ITEM 1

TAXI RANKS

The Solicitor presented the item by acknowledging that the signage on the Council ranks at the Platform gallery, near Booths and King Lane needed reviewing and possibly updating. He stated that the council could work with Lancashire County Council and the trade to try to

provide more ranks. He also asked for ideas as to where ranks were needed in Clitheroe, Whalley and Longridge.

Response to the question.

Clitheroe

1. Mr T Khan – On Wellgate, near Solos (Social Club) -in loading bay. Weekend/evening hours for 2 or 3 vehicles. Maybe Temporary at the weekend after 8pm till a time to be determined. To be used in a similar fashion to the Bus stops/loading bay on Market Place, Clitheroe out of hours and at the weekend. The one-way system would funnel the vehicles.
2. Cllr D O'Rourke – Rank down near the vehicle entrance to Bowland Beer Hall, as this area had become busier. It was mentioned that this was very near a booking office so that might be the reason it had not been considered before.
3. An Operator from the floor suggested Greenacre Street as this would remove the vehicles from the main road.
4. It was also reported that there were issues with private vehicles being parked in the bays at Booths and outside the White Lion.

Whalley

1. Whalley Bus Station -numerous people suggested it.
2. Loading bay near Alta (Rios)
3. Parking spot outside Forum
4. It was also reported that Hackney Carriages were loitering close to Romeros, blocking vehicles, and picking up their pre-booked customers.

Longridge

1. Car park near Co-op.

Cllr Brocklehurst suggested the Council contact Longridge Town Council for input.

AGENDA ITEM 2

REVIEW OF FARES

Hackney Reps Mr T Khan and Mr M Iftikhar stated that Tariff 1 was fine. They thought that Tariff 2 needed reviewing because late night totals were high, and customers had questioned the price.

AGENDA ITEM 3

OLDER VEHICLES

Several drivers had asked for this item to be included in the agenda. They believed the Council should stop the 4 months vehicle plate, and increase it to 6 months, as there was a belief that RVBC were one of the few councils still issuing 4 months plates.

Before the meeting the taxi team had reviewed the policy of all the councils within Lancashire to determine if this was indeed the case. It had been established that several councils still issued 4 months plates. In the councils where 4 months plates had been discontinued, they had included other conditions. For example, limited maximum age of vehicles, monitoring of emissions or higher maintenance of vehicles.

Several drivers argued that the Council should not remove the 4 months plate as it meant that vehicles were being regularly checked and this was a good thing as it showed the vehicles was road worthy. This could be tied in with more frequent spot checks.

AGENDA ITEM 4

ELAP SEATS

The Solicitor introduced the item by stating that the Council licences 8 ELAP Hackneys and 4 wheelchair accessible Hackneys. These licences were issued on condition that the vehicles remained as such.

Some owners had asked for the ELAPS to be discontinued.

The Council's position was that, if an owner wished to remove the ELAP, they could ONLY do so by becoming fully wheelchair accessible.

Concern was expressed that ELAP seats were incompatible with airbags. Although it was mentioned that some authorities had withdrawn their requirement for ELAP seats, it was also noted that, for example, Blackburn with Darwen had a policy requirement for Hackney Carriages to be wheelchair accessible.

Cllr S O'Rourke spoke on behalf of disability awareness, stating that common complaints about taxis were:-

Difficulty in getting a wheelchair assessable taxi,

Overcharging,

Refusing to lift wheelchair in and refusing guide dogs.

He stated that back loading vehicles are not reasonable, and he would like all wheelchair accessible vehicles to be side opening vehicles.

AGENDA ITEM 5

HACKNEY CARRIAGE NUMBERS.

The Head of Legal and Democratic Services introduced this item, stating that Hackney Carriage numbers had been limited thus far. Twelve extra Hackneys had been added in recent years, with disabled access as a condition.

The reasons for considering increasing numbers or removing the limit altogether included:-

1. Many of the wheelchair accessible vehicles already licensed were also used for school contracts therefore were not available during the day in the local areas.
2. Government had updated Best Practice guidelines, and this had to be taken into consideration. This includes an equality duty, not just public safety.
3. Was there an adequate number of Hackney Carriages to meet demand?
4. A survey might need to be carried out of service users and others. This would identify if there was evidence of significant unmet demand, or if there was an adequate supply with the current numbers. Further information on this item would be brought to Licensing Committee.

OTHER ITEMS.

1. An operator asked to speak from the floor. He requested six monthly meetings rather than once a year, and access to minutes. He also would like the council to look at operators' fees, as he felt they were high for what he considered to be the operator's role as that of a booking agent.
2. An operator speaking from the floor suggested that an incentive should be given to owners who were willing to buy a brand new fully wheelchair accessible vehicle to be used as a taxi. This incentive could be a free plate to be returned when no longer needed.
3. An operator from the floor wished to bring an item to the attention of the council. He stated that Hackney Carriage vehicles were loitering outside Romero's in Whalley, blocking the entrance at the side, and taking pre booked fares and overcharging.
4. The Taxi Enforcement Officer and Cllr Ian Brown both asked for him to contact the Council with evidence so RVBC could investigate the matter.

The Chair thanked all present for their attendance and informed the meeting that the matters raised would be considered in due course.

The meeting closed at 8pm.

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MINUTES OF THE RIBBLE VALLEY EVENT SAFETY ADVISORY GROUP MONDAY 30 OCTOBER 2023 AT 2:00PM

<u>PRESENT:</u>	Winston Robinson (Chair)	RVBC
	Katharine Collinge	RVBC
	Andrew Dent	RVBC
	Gary Makin	Lancashire Police
	Gary Brook	Lancashire Fire & Rescue
	Glen Dinsdale	Lancashire Fire & Rescue
	Organisers of the Beatherder Festival	

APOLOGIES

Apologies were received Stephen Cheetham (Lancs Fire & Rescue), Sam Edwards (Lancs Fire & Rescue), Duncan Hall (Lancashire Police), Gary Singleton (LCC), and RVBC Licensing.

MINUTES OF THE LAST MEETING

The minutes of the last meeting of the 11 May 2023 were reviewed.

BEATHERDER FESTIVAL

The festival took place on 14, 15, 16 and 17 July 2023.

The organisers provided a summary of the 2023 festival. There had been heavy rain throughout the weekend which did result in a high number of festival goers leaving early. This did present some challenges in respect of the unanticipated large amount of people leaving on the Saturday, however, in spite of the weather the event went well.

The event was being planned for 18 to 21 July 2024. It was noted that this clashed with the Royal Lancashire Show, however, this was not a concern as the location was at the other end of the A59. It was planned to begin the event on the Thursday for the third time. This had been initially suggested to ease the pressure of getting festival goers in, however, organisers were considering arranging more plans for the Thursday.

The Council's Head of Environmental Health Services noted that there had been only one noise complaint which was from a resident in close proximity to the festival, and that complaint seemed to be justified. On discussion, the complainant had suggested that his complaint may be alleviated should he be offered alternative accommodation during the period of the festival. The organisers had met with the complainant many times and felt they had offered this previously and it had been declined due to security concerns by the complainant, however, they would offer this again. Security on site had been improved and in particular this year a steward had been placed at the top of the complainant's drive. The Head of Environmental Health Services also suggested that the current Premises Licence was reviewed ahead of the next festival as the current one was quite loose.

The Police had already had a post event de-brief with the Beatherder organisers. They reported no major issues, but recommended some minor tweaks to operations for 2024 which they had discussed directly with the organisers.

The Fire and Rescue Watch Manager for Clitheroe had visited the event on the Thursday and noted that any suggestions made had been implemented within the hour. He advised he was happy to provide any advice going forward.

It was also noted that canned water was provided free of charge as per the recommendation at the last meeting.

The Beatherder organisers left the meeting.

CALENDAR OF EVENTS

There was a recap past events:

Chipping Steam Fair – It was noted that following issues in 2022 the event had run smoothly in 2023 following the use of a traffic management company.

Ribchester Field Day – No issues reported.

Royal Lancashire County Show – No issues reported.

Clitheroe Food Festival – No issues reported

Longridge Soapbox Derby – No issue reported.

Ribble Valley Scooter Rally – Issues were raised by both the Police and RVBC. If the event is to go ahead next year Winston would invite the organisers for a meeting in advance. A traffic management company was used, however, it was thought that they had only managed the areas within which the roads were closed. It was suggested that a further section of road be closed, similar to the food festival, which would require the re-route of a bus stop. It was noted that there was a delay in the parade this year which may have been due to confusion over the route, and perhaps this had attributed to the issues. Fire & Rescue noted that their concern would be over crews at the other side of the event and road closures getting to the station, and they would take this into consideration nearer to the event.

Funfair at Clitheroe Castle Field – The group discussed a complaint from a nearby resident about noise levels at the event, which were felt to be higher than usual. The Head of Environmental Health Services would discuss with the Head of Cultural & Leisure Services implementing a conditional noise level for the event going forward.

BONFIRES

The group then discussed the following future events:

Clitheroe Cricket Club Bonfire & Fireworks – No concerns. It was noted that the number of attendees was unconfirmed on the list however it was confirmed at the meeting to be approximately 5000.

Clitheroe Castle Bonfire & Fireworks – No concerns as such however it was noted that the Council's Health & Safety Officer who normally oversaw the Marshalling of the event was not available this year. Council Officers had stepped in to make arrangements in his absence.

Gisburne Park Estate Bonfire Night – Concerns had been raised directly with the organisers over their anticipated 4000 attendees, however, on discussion this was revised to be no more than 2000. The organisers had supplied the traffic management plan and the group were satisfied that the traffic management company would handle with no issues.

St Leonard's Langho Scout Group Bonfire – The only concern with this event was that the wind direction can lead to smoke over the A59.

Grindleton Village Bonfire – Gary from Fire & Rescue had visited and felt the event was well organized and had no concerns.

It was noted that the Police had arranged 'Operation Bright Sparks' whereby over bonfire night there would be a dedicated team assigned to issues and complaints.

REMEMBRANCE

All necessary road closures had been applied for. It was noted at the meeting that the police no longer automatically assist with Remembrance events, and that organisers are expected to arrange a traffic managements company and road closures as required.

AOB

A representative of a coalition of UK animal protection organisations had contacted the Council in regards to the use of live animals and reindeer in events. Going forward, should the ESAG be notified of any further Christmas events, organisers must be informed of the Councils regulations and terms and conditions on the use of reindeer or any animal at festive events, including whether it be at a council-run event, or an event not organised by the council, but which takes place on council owned land.

DATE OF NEXT MEETING

A further meeting will be arranged for May 2024.

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