

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the LICENSING & REGULATION COMMITTEE held on 5 DECEMBER 2013

PRESENT: Councillor P N Shepherd - Chairman

Councillors: N L Brown
D G Meacock
M Prince
J J Rush

APOLOGIES FOR ABSENCE were received from Councillors M Vivis, Mrs J A Burton, G K Harris, P M Jones, D J Lacey, C H Spruytenburg, N Stewert, H A Trevette, J F Warder and A P Williams

6 MINUTES

The Minutes of the meeting held on 13 June, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 HACKNEY CARRIAGE AND PRIVATE HIRE POLICY

The Hackney Carriage and Private Hire Policy had been considered and agreed by the Licensing and Regulation Committee on 15 June but was subject to a verbal challenge from the trade before it was considered by Full Council. The Policy was reviewed in light of guidance from the Department of Transport in relation to vehicles. Current guidance prevents the authority from adopting an age policy for vehicles but does allow for a greater frequency of testing ensuring passenger safety. Members considered the evidence that older vehicles were more likely to fail compliance and MOT tests.

Councillors were advised that whilst the majority of vehicles licensed by Chiltern District Council were between 5 and 11 years of age some vehicles were 12 years old or greater. Drivers had stated that they could not afford to buy new vehicles and sought to buy older vehicles. The current policy requires that vehicles over 6 years of age were subject to 2 compliance tests per year. Guidance enables the Council to increase the frequency of testing to 3 tests per year.

The following wording was proposed to be included in the policy: 'At the time a vehicle is first licensed (including changes of vehicles if not to a currently licensed vehicle) the vehicle must normally be less than 7 years old. The vehicle's age will be determined by the vehicle registration document. The age limit may be exceeded if the vehicle complies with all applicable standards. Once a vehicle reaches 12 years of age the licence will only be renewed if the vehicle has passed 3 compliance tests each year, at approximately 4 monthly intervals.'

RESOLVED:

1. That the report be noted
2. That it be recommended to Council that the wording for the proposed policy conditions regarding the age of vehicles be amended to: 'At the time a vehicle is first licensed (including changes of vehicles if not to a currently licensed vehicle) the vehicle must normally be less than 7 years old. The vehicle's age will be determined by the vehicle registration document. The age limit may be exceeded if the vehicle complies with all applicable standards. Once a vehicle reaches 12 years of age the licence will only be renewed if the vehicle has passed 3 compliance tests each year, at approximately 4 monthly intervals.'

9 LICENSING AND ENFORCEMENT UPDATE

The Licensing and Regulation Committee received a licensing and enforcement update from the Licensing Officer. Councillors were advised that 356 Premises and 41 Club Premises were currently licensed. These Licensed Premises were inspected on a risk related basis. No formal action had been necessary over the last year.

It was noted that the number of licensed Taxi and Private Hire drivers had not increased. This was due to market forces. In regards to animal licenses, the number of home boarders had doubled, and it was noted that the premises were inspected by vets twice a year. One Councillor questioned how much the license for this was and was advised that a new license for animal boarding in the home cost £330, while renewal was £360 per year. Riding establishments were charged the admin costs, and then charged the exact costs for each visit by a vet.

Councillors were also reminded that it was possible for Parish and Town councils and the public to see which premises were licensed by accessing the Public Access Licensing System.

RESOLVED:

That the report be noted.

10 CHARITABLE STREET COLLECTIONS

Councillors were asked to consider a report regarding Charitable Street Collection licenses. In February 2010 the Licensing and Regulation Committee approved amendments to the Regulations made by Chiltern District Council with regard to Street Collections to comply with the Provision of Services Regulations 2009. These amendments lifted the restrictions as to when and where charitable collections could take place. This has led to reports of streets having collectors from a number of charitable organisations

collecting at the same time. The Licensing Team received complaints from the public, and it has been considered that there was a reason of public interest to impose some form of restriction. It was noted that the proposals have been well received in consultation.

The Councillors received the guidance that was given to street collectors. This stated that collectors should not harass members of the public and advised them against rattling the box and calling out. It was noted that a few charity collectors were not aware of this guidance. The Institute of Fundraising also produced guidance stating this. It was suggested that the guidance from the Council be placed on the website. The draft guidance considered by the Councillors had been amended in light of comments received during consultation.

The draft guidance notes state that the Council would need four weeks notice to process the application and issue the permit. Councillors questioned whether this could be reduced in exceptional circumstances and were advised that it may be possible to process the application form in a few days.

One Councillor stated that a collection period of a maximum of eight consecutive days may not be sufficient as it does not cover two consecutive weekends. It was noted that charities had been in favour of a shorter period of time than was previously allowed. It was suggested by Councillors that the maximum collection period should be ten consecutive days to allow charities to collect on two consecutive weekends.

RESOLVED:

That the Licensing and Regulation Committee agree with the proposed amendments to the Charitable Street Collections Guidance notes.

11 UPDATE ON SHARED SERVICES

Members of the Licensing and Regulation Committee were advised that the shared service review proposals were agreed by the Joint Committee. It was noted that the migration of the South Bucks District Council system to Chiltern District Council systems was nearly complete. The Joint Licensing Team would be in place from 1 March 2014. The Joint Appointments and Implementation Committee and the Personnel Committee would consider and approve changes to the structure of the team. Councillors extended their thanks to the Principal Environmental Protection Officer, Environmental Health Manager and Interim Licensing Officer for their work.

RESOLVED:

That the update on Shared Services be noted.

The meeting ended at 7.44 pm