

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON MONDAY, 30 JANUARY 2006 AT 10.00AM

Present:-

Councillor D Buttle - Chairperson

Councillors

A E Davies
W B Evans
R M Granville
J J Hipkiss

Councillors

D T Greaves
C E Hughes
R D Jenkins
M Jones

Councillors

K T Rowlands
D Sage
M L Simmonds
M C Wilkins

Officers:

Mr H Batten - Legal Officer
Mrs Y Witchell - Licensing Officer
Mr G Jones - Principal Cabinet & Committee Officer

29 DECLARATIONS OF INTEREST

- Councillor W B Evans - With regards to the report entitled 'Taxi Driver Medicals' due to his nephew and niece being taxi drivers.
Councillor R D Jenkins - With regards to the report entitled 'Taxi Driver Medicals' due to his daughter being a taxi driver.

30 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the previous meeting of the Licensing Committee held on 3 August 2005 be approved as a true and accurate record.

31 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M Quick, who was on holiday.

32 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
TAXI DRIVER MEDICALS

The Deputy Chief Executive and Executive Director - Resources submitted a report, which proposed an occupational health standard in respect of taxi drivers in the interests of public safety.

The Licensing Officer explained that this issue was originally addressed in May 2001 and that this report dealt with the legality of placing conditions on the licences and to incorporate the Group 2 medical standard for taxi drivers. She stated that taxi drivers were not designated in either Group 1 or Group 2 medical standards as set by the DVLA. Guidance published by the Medical Commission recommended that taxi drivers be subject to the Group 2 medical standards.

New applications to become a taxi driver would need to have the appropriate medical certificate from a General Practitioner on first application, the first renewal after the age of 45, every 5 years between 45-65 and then every year after 65. Existing licence holders will be required to undertake the Group 2 medical standards from the over 45 year of age renewal. It was highlighted that there may be the possibility of some existing licence holders being deemed unfit and appealing the process.

Members asked who was responsible for ensuring the medical condition of taxi drivers were accurate and up to date. The Legal Officer explained that it was the responsibility of the taxi drivers to ensure that medical certificates were supplied at the stated times and that it was also their responsibility to inform the relevant authorities of any changes of their medical condition.

Following discussion on the content of the report, it was

RESOLVED: That the Licensing Committee approve:

- (1) to amend the resolution of 8 May 2001 to require that General Practitioners apply DVLA Group 2 medical standards when completing medical certificates for taxi drivers and require that the frequency of providing medical reports be the same as laid down by the DVLA.
- (2) the issue of Appendix A of the report as the relevant Medical Certificate/Report with immediate effect.

33 LICENSING ACT 2003:
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
APPLICATION FOR REFUND OF FEES

The Deputy Chief Executive and Executive Director - Resources submitted a report advising Members of the need to determine applications received for refunds of fees paid for entertainment licences required during the period before the Licensing Act 2003 came into full effect.

The Licensing Officer explained that the premises listed in the report were required to pay for an entertainment licence prior to the introduction of the new Act. This then meant that the premises were in effect paying twice for the same licence. She advised the Members that she had also received a request from The Sandpiper, New Road, Porthcawl for a refund of £316.25 for the same reasons.

Members requested that the criteria for refunding fees for charitable reasons be circulated for information.

RESOLVED: That Committee approved the refunds for;

- (1) the premises and amounts as listed in the report
- (2) the sum of £316.25 for The Sandpiper, New Road Porthcawl.

The meeting closed at 10.41am.