

LICENSING COMMITTEE - TUESDAY, 22 MAY 2018

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOMS
2/3 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 22 MAY 2018
AT 09:30

Present

Councillor DRW Lewis – Chairperson

JE Lewis	DG Owen	RM James	SE Baldwin
AA Pucella	JE Williams	A Hussain	TH Beedle

Apologies for Absence

RJ Collins, B Jones, G Thomas and MJ Kearns

Officers:

Julie Ellams	Democratic Services Officer - Committees
Andrea Lee	Senior Lawyer
Yvonne Witchell	Team Manager Licensing

19. DECLARATIONS OF INTEREST

None.

20. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Licensing Committee of 20 February 2018 be approved as a true and accurate record.

21. APPOINTMENT OF LICENSING SUB- COMMITTEE(S) AND DELEGATIONS TO OFFICERS

The Team Manager Licensing presented a report proposing the membership of the Licensing Committee Sub-Committee following the Annual Meeting of Council 2018.

The proposals were required to effectively discharge the functions of the authority in respect of general licensing applications. The range of functions was set out within the Council's Constitution and included taxi licensing, street trading, and other general licensing regimes as required. A separate report would be submitted in respect of the Licensing Act 2003 and the Gambling Act 2005 functions.

On 16 May 2018 Council received a report establishing the membership of the Licensing Act 2003 Committee and the Licensing Committee. It was proposed that the Licensing Committee continue with the existing arrangements and approve the formation of two panels sitting on a rota basis each consisting of seven Members of the Licensing Committee and chaired by the Chair person and Vice Chairperson of Licensing Committee where possible.

The Team Manager Licensing explained that Committee were also being asked to consider amending the guidelines for referring cases to Sub-Committee. Committee had adopted a Statement of Policy regarding the relevance of convictions and licensing of ex-offenders and had previously issued guidelines for which cases should be referred to a Sub-Committee on the grant of a licence. This had resulted in applicants being referred with convictions falling outside policy guidelines for example if committed as a

juvenile. The current policy stated that the following could be dealt with under the Scheme of Delegation: Grant of licence: Clear Criminal Records Bureau (CRB) Disclosure and no endorsements on DVLA driving licence. It was therefore proposed that the guidelines should permit officers to determine all applications which did not trigger the policy guidelines.

The proposed amendment to Paragraph 8.2 of the policy was therefore as follows: Grant of licence: Referred to Sub-Committee if conviction falls within the policy guidelines set out in the Statement of Policy regarding the relevance of convictions and licensing of ex-offenders.

A Members asked what would happen if there was a conviction in the 5 years prior to the deadlines stated. The Senior Lawyer explained that the Committee was entitled to look at spent convictions but there were clear guidelines such as 10 years for serious assault and 5 years for fraud. This was standard policy throughout Wales. If there were serious fraud or sex offences then the application would still be considered by Committee.

A Member asked if the applicant was required to disclose any mental health issues. The Senior Lawyer explained that the applicant was required to submit a Group 2 medical certificate.

A Member asked if access was available to records on an applicant before they arrived in this country. The Senior Lawyer explained that the applicant was required to submit a PNC or a Certificate of Good Conduct from the originating country. A DBS would cover the address history for the last 5 years and if required they could have access to an enhanced certificate and both parts of the driving licence.

A Member asked if there was an age limit before someone could be granted a licence. The Member was advised that the applicant had to hold a licence for a year before he/she could apply.

A Member commented that a better Delegation to Officers would be helpful and could also speed up meetings.

A Member asked if the authority had introduced a Knowledge Test. He was advised that officers were still working on this and any change would come to Committee for authorisation.

RESOLVED:

The Committee:

- 1) Approved the formation of two panels sitting on a rota basis each consisting of seven Members of the Licensing Committee and chaired by the Chairperson and Vice Chairperson of the Licensing Committee where possible. In the event that the Chair or Vice Chair were not able to attend their respective subcommittee meeting, a chair would be elected from those in attendance. These Licensing Sub-Committees would undertake licensing functions, including taxi licensing and street trading as set out in the Council's Constitution.

Sub-Committee A
Councillor D Lewis
Councillor S Baldwin
Councillor T Beedle

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Councillor R Collins
Councillor D Owen
Councillor A Pucella
Councillor J Williams

Sub-Committee B

Councillor P Davies
Councillor A Hussain
Councillor M James
Councillor B Jones
Councillor M Kearn
Councillor J Lewis
Councillor G Thomas

Approved the amendment to paragraph 8.2 of the Statement of Policy regarding the relevance of convictions and licensing of ex-offenders as follows: 8.2 Grant of Licence: Referred to Sub-Committee if conviction fell within the policy guidelines set out in the Statement of Policy regarding the relevance of convictions and licensing of ex-offenders.

22. **URGENT ITEMS**

None