



Waverley Borough Council
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To: All Members of the LICENSING AND
REGULATORY COMMITTEE
(Other Members for Information)

When calling please ask for:

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Calls may be recorded for training or monitoring

Date: 24 June 2016

Membership of the Licensing and Regulatory Committee

Cllr Maurice Byham
Cllr Patricia Ellis
Cllr John Fraser
Cllr Tony Gordon-Smith
Cllr Mike Hodge
Cllr Simon Inchbald

Cllr Peter Isherwood
Cllr Carole King
Cllr Robert Knowles
Cllr Libby Piper
Cllr Bob Upton
Vacancy

Substitutes

Cllr Anna James
Cllr Nick Williams

Cllr John Williamson

Dear Councillors

A meeting of the LICENSING AND REGULATORY COMMITTEE will be held as follows:

DATE: THURSDAY, 7 JULY 2016

TIME: 10.00 AM

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,
GODALMING

The Agenda for the meeting is set out below.

Yours sincerely

ROBIN TAYLOR
Head of Policy and Governance

Most of our publications can be provided in alternative formats. For an audio version, large print, text only or a translated copy of this publication, please contact committees@waverley.gov.uk or call 01483 523351

This meeting will be webcast from the conclusion of Informal Question Time and can be viewed by visiting www.waverley.gov.uk

NOTE FOR MEMBERS

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

AGENDA

1. **APPOINTMENT OF CHAIRMAN**

To confirm the appointment of Councillor Simon Inchbald as Chairman of the Licensing and Regulatory Committee for the Council Year 2016/17.

2. **APPOINTMENT OF VICE-CHAIRMAN**

To confirm the appointment of Councillor Patricia Ellis as Vice-Chairman of the Licensing and Regulatory Committee for the Council Year 2016/17.

3. **MINUTES**

To receive the minutes of the meeting held on 24 March 2016 (to be laid on the table half an hour before the meeting).

4. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

To receive apologies for absence and to report any substitutions

5. **DECLARATIONS OF INTEREST**

To receive from members declarations of interest in relation to any items included on the agenda for this meeting, in accordance with the Waverley Code of Local Government Conduct.

6. **QUESTIONS**

The Chairman to respond to any questions received from members of the public in accordance with Procedure Rule 10.

7. **ACTION AUTHORISED**

To receive any action taken by the Executive Director after consultation with the Chairman and Vice-Chairman since the last meeting.

LICENSING ACT 2003 ITEMS

There are no items for discussion under this heading

OTHER LICENSING ITEMS

8. UPDATE REGARDING SAFEGUARDING AND FUTURE PROPOSAL FOR MANDATORY SAFEGUARDING TRAINING FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS AND OPERATORS
(Pages 5 - 8)

The purpose of this report is to update the Sub-Committee on Child Sexual Exploitation (CSE) training and future proposals for mandatory training regarding CSE and safeguarding for licensed Hackney Carriage and Private Hire drivers/operators

Recommendation

It is recommended that:

- 1. The Committee notes the work currently being undertaken by officers on Child Sexual Exploitation and asks officers to report back with any proposed amendments to the Council's Tax Licensing Policy in due course; and**
- 2. Officers be instructed to investigate options for the provision of a training resource for all drivers to undertake and report back.**

9. SCHEME OF DELEGATION - VEHICLE PLATE EXEMPTIONS

Private Hire Vehicles and their drivers may be pre-booked only via a licensed private hire operator. Each of the three licences, for the operator, the vehicle and the driver, must be issued by the same licensing authority, i.e. the licences must 'match'. Under Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976, private hire vehicle proprietors (licensees) are required to exhibit on their vehicles the vehicle licence plates provided by the Council.

Section 75(1) of the Act enables the Council, generally, to grant an exemption from the requirement to display licence plates on private hire vehicles on occasions specified by the authority, or on any occasion, provided that the notice of exemption is carried in the vehicle (Section 75(3)). If an exemption from display on specified occasions/any occasion is granted, the driver of the vehicle is also exempted from the requirement in Section 54(2)(a) that he should wear his private hire driver's badge. The driver must, however, be a private hire driver licensed by the Council. For the Committee's information, no such exemptions exist for hackney carriages (taxis).

Currently, there is no delegation to officers to grant an exemption from the requirement to display a private hire licence plate and drivers must wait until the next Licensing (General Purposes) Sub-Committee for their application to be considered. This places an additional burden on the Licensing Sub-Committee and can also be a lengthy process for drivers. The applications are generally very straightforward and it is therefore recommended that authority be delegated to officers to be able to grant plate exemptions, subject to the receipt and consideration of supporting documentation and evidence from the applicant as to why it is essential to their chauffeur or executive business.

In order to reassure Councillors that there will continue to be member involvement in the decision making process, it is proposed that any decision taken by officers is in consultation with the chairman and vice-chairman of the Licensing (General Purposes) Sub-Committee.

Recommendation

It is recommended to the Council that authority be delegated to the Head of Policy and Governance, Democratic Services Manager, Licensing Manager, in consultation with the Chairman and Vice-Chairman of the Licensing (General Purposes) Sub-Committee, to grant an exemption from the requirement to display a vehicle licence plate on a private hire vehicle, and the Scheme of Delegation be amended accordingly.

10. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:-

Recommendation

That pursuant to Procedure Rule 20 and in accordance with Section 100B(5) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of the revised Part 1 of Schedule 12A to the Act (to be identified, as necessary, at the meeting).

11. LEGAL ADVICE

To consider any legal advice relating to any items in the agenda.

**For further information or assistance, please telephone
Ema Dearsley, Democratic Services Officer, on 01483 52334 or by email at
ema.dearsley@waverley.gov.uk**