

## **BABERGH DISTRICT COUNCIL**

Minutes of the Virtual meeting of the **LICENSING AND REGULATORY COMMITTEE** held on Friday, 9 October 2020

### **PRESENT:**

Councillor: Mark Newman (Chair)  
Sue Carpendale MA MCIM (Vice-Chair)

Councillors: Sue Ayres Siân Dawson  
Jane Gould Kathryn Grandon  
Margaret Maybury John Nunn

### **In attendance:**

Officers: Katherine Green – Licensing Officer  
David Price – Licensing Officer  
Nigel Dulieu – Legal Advisor  
Karen Sayer – Governance Officer

### **Apologies:**

Peter Beer

#### **1 DECLARATION OF INTERESTS**

1.1 None declared.

#### **2 BLR/20/1 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 14 AUGUST 2020**

2.1 **It was RESOLVED:**

**That the Minutes of the meeting held on 14 August 2020 be confirmed as a true record and signed at the next practicable opportunity.**

#### **3 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

3.1 None received.

#### **4 BLR/20/2 LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY STATUTORY FIVE-YEARLY REVISION**

4.1 Katherine Green, Licensing Officer presented Paper BLR/20/2 to the Committee. The report detailed the outcome of the full and targeted public consultation, in respect of the statutory policy revision relating to Licensing Act 2003 functions.

4.2 Section 5 of The Licensing Act 2003 requires that each Licensing Authority shall determine and publish a local 'Statement of Licensing Policy' relating to the discharge of its licensing functions under the Act.

4.3 The Licensing Officer and Legal Advisor responded to Members' questions on issues including:

- The consultation process – it was confirmed that the document was sent out to 150 consultees and the list is contained at Appendix D to the report, it was also advertised in the local newspaper, on the website, at the Council offices and customer access points, however only 1 response to the consultation had been received.
- Consider adding a clause to future consultations that a non-response would indicate a positive response.
- Clarification of revisions and deletion of wording within the document.
- Enforcement for licensing is dealt with by the Environmental Health team.
- Cllr Maybury wanted to sensitively express concern that we as a Licensing Authority don't assess if all applicants can speak English competently before they undertake a licensable role – it was confirmed that this falls outside of the Licensing Authority's remit and all individual applications are forwarded to the Home Office for their appraisal should there be any concerns.

4.4 Councillor Margaret Maybury proposed that the recommendation contained in Paper BLR/20/2 be approved. Councillor Kathryn Grandon seconded the proposal.

4.5 The vote was taken by roll call and was unanimous.

4.6 **It was RESOLVED:**

**That the post-consultation draft 'Statement of Licensing Policy' in respect of Licensing Act 2003 functions, as attached at Appendix A, be approved.**

**RECOMMENDED TO COUNCIL:**

**That the 'Statement of Licensing Policy' document be adopted.**

## **5 BLR/20/3 HACKNEY CARRIAGE TABLE OF FARES REVIEW**

5.1 David Price, Licensing Officer presented Paper BLR/20/3 to the Committee. The report referred to the review of the current table of fares fixed for hackney carriages operating in the controlled zone of Babergh District.

5.2 Officers had undertaken a new route and branch review of the table of fares, following the previous consultation exercise in February and had proposed two options for the Committee's consideration as detailed in paragraph 2.1 of the report.

- 5.3 The Committee considered the two options set out in paragraph 2.1 of the report.
- 5.4 The Licensing Officer responded to Members' questions on issues including: confirmation that the taxi drivers consulted are happy with the proposals. Notices are displayed at the Council offices, customer access points and on the website.
- 5.5 Councillor Sian Dawson proposed that Recommendation 3.2 contained in Paper BLR/20/3 be approved. Councillor Sue Carpendale seconded the proposal.
- 5.6 **It was RESOLVED:**

**That the table of fares be amended as per Appendices A and B to Paper BLR/20/3, that officers be instructed to proceed with the public consultation notice advertising the variations in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, and that the varied table of fares shall become effective from 1 April 2021.**

The business of the meeting was concluded at 10:15am

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Chair