
MEETING	LICENSING AND REGULATORY COMMITTEE
DATE	3 MARCH 2006
PRESENT:	COUNCILLORS NIMMO (Chair), HORTON, B WATSON and I WAUDBY

PART A – MATTERS DEALT WITH UNDER DELEGATED POWERS

8. DECLARATIONS OF INTEREST

The Chair invited Members to declare at this point any personal or prejudicial interests, which they had, in any of the business on the agenda.

No Members declared any interests.

9. MINUTES

RESOLVED: That the minutes of the meeting held on 6 January 2006 be approved and signed as a correct record.

10. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

11. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE VETTING PROCEDURE

Members considered the report, which sought approval to proposed changes to policy in relation to two aspects of the procedure undertaken by the Taxi Licensing Unit when establishing whether an applicant for a hackney carriage or private hire drivers licence was a fit and proper person to hold such a licence.

Officers referred to the enhanced disclosure checks that were currently undertaken with the Criminal Records Bureau and confirmed that, since the establishment of the CRB, no review checks were being made on existing drivers. The CRB disclosures undertaken only gave details of criminal convictions accrued in the UK, which meant that for an applicant

who had spent a period of time residing overseas their record check would be incomplete.

Officers referred to two recent incidents, which had given cause for concern where applicants were unable to provide the necessary information. Officers confirmed that the safety of the public when using hackney carriage and private hire vehicle was their prime concern as over 40,000 journeys were made in such vehicles each week.

Members questioned who would bear the costs involved in undertaking the review of the existing drivers criminal records.

Councillor B Watson requested recording that he had grave reservations regarding the procedure for applicants to provide a Certificate of Good Conduct, which he felt, was open to abuse. He voted against the inclusion of this section in the resolution.

RESOLVED: (i) That where a CRB disclosure does not provide a history of an applicants criminal convictions from the age of 18 years, the following additional testimonies as to their suitability be submitted along with their licence application:

- a) Where an applicant has resided outside the United Kingdom a Certificate of Good Conduct from the country or countries in which they have previously resided since the age of 18 years be provided in English.
- b) Should an applicant be unable to provide a Certificate of Good Conduct they must provide a separate signed declaration detailing the attempts made to obtain such a certificate. The declaration must also state whether they have been found guilty or have been convicted or charged with any offence against the law in any country. This declaration should be signed in the presence of a solicitor and duly countersigned and the form stamped by the solicitor.

(ii) That in the case of all existing drivers a criminal records review be undertaken every 3 years, the costs of obtaining the disclosure to be borne by the licence holder.

REASON: To ensure the safety of the public using hackney carriage and private hire vehicles in York.

12. ALCOHOL MISUSE ENFORCEMENT CAMPAIGN/IMPLEMENTATION OF LICENSING ACT 2003

Members were requested to withdraw this item from the meeting, as the report had been included in error on the agenda for this meeting rather than on the Licensing Act 2003 Committee.

Officers confirmed that this report would be brought back with updated information to the next meeting of the Licensing Act 2003 Committee.

RESOLVED: That this report be withdrawn from the meeting and following updating referred for consideration by the Licensing Act 2003 Committee at their next meeting to be held on 7 April 2006

REASON: To ensure that the delegation scheme for the Licensing and Regulatory Committee is adhered to.

13. LICENSING INITIATIVE – BEST BAR NONE

Members considered the report, which sought approval for the proposed introduction of a National Accredited Scheme for promoting responsible trade management and reducing drink related disorder in the city.

Officers updated and circulated copies of the national guide entitled 'Tackling Alcohol-Fuelled Disorder in Town and City Centre', prepared by the ACPO and the LGA, for members information.

It was reported the Best Bar None awards scheme had been developed by the Manchester City Centre Safe project and that the object of the scheme was to provide an incentive for licensed premises owners to improve standards through high profile awards. Officers confirmed that cities that had already adopted this scheme had seen an improvement in drink related disorder.

In answer to members questions officers confirmed that accredited premises could lose their accreditation from one year to the next and that the accreditation was being undertaken by a team of examiners made up from local authority licensing officers, the Fire Brigade and officers from other local authorities.

RESOLVED: That approval be given to the introduction of the Best Bar None Scheme to be launched at the annual licensing meeting on 7 March 2006.

REASON: To establish a benchmark of good practice for licensed premises in the city.

G NIMMO
CHAIR

The meeting started at 2.00 pm and finished at 2.35 pm.