

Notice of Licensing Committee

Date: Thursday, 10 March 2022 at 10.00 am

Venue: Committee Suite, Civic Centre, Poole BH15 2RU



Membership:

Chair:

Cllr J J Butt

Vice Chair:

Cllr J Bagwell

Cllr S C Anderson
Cllr D Brown
Cllr R Burton
Cllr N Decent
Cllr B Dion

Cllr G Farquhar
Cllr D Farr
Cllr D A Flagg
Cllr A Hadley
Cllr T Johnson

Cllr D Kelsey
Cllr V Slade
Cllr L Williams

All Members of the Licensing Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=4717>

If you would like any further information on the items to be considered at the meeting please contact: Jill Holyoake on 01202 127564 or email democratic.services@bcpCouncil.gov.uk

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or email press.office@bcpCouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

2 March 2022



Available online and
on the Modern.gov
app

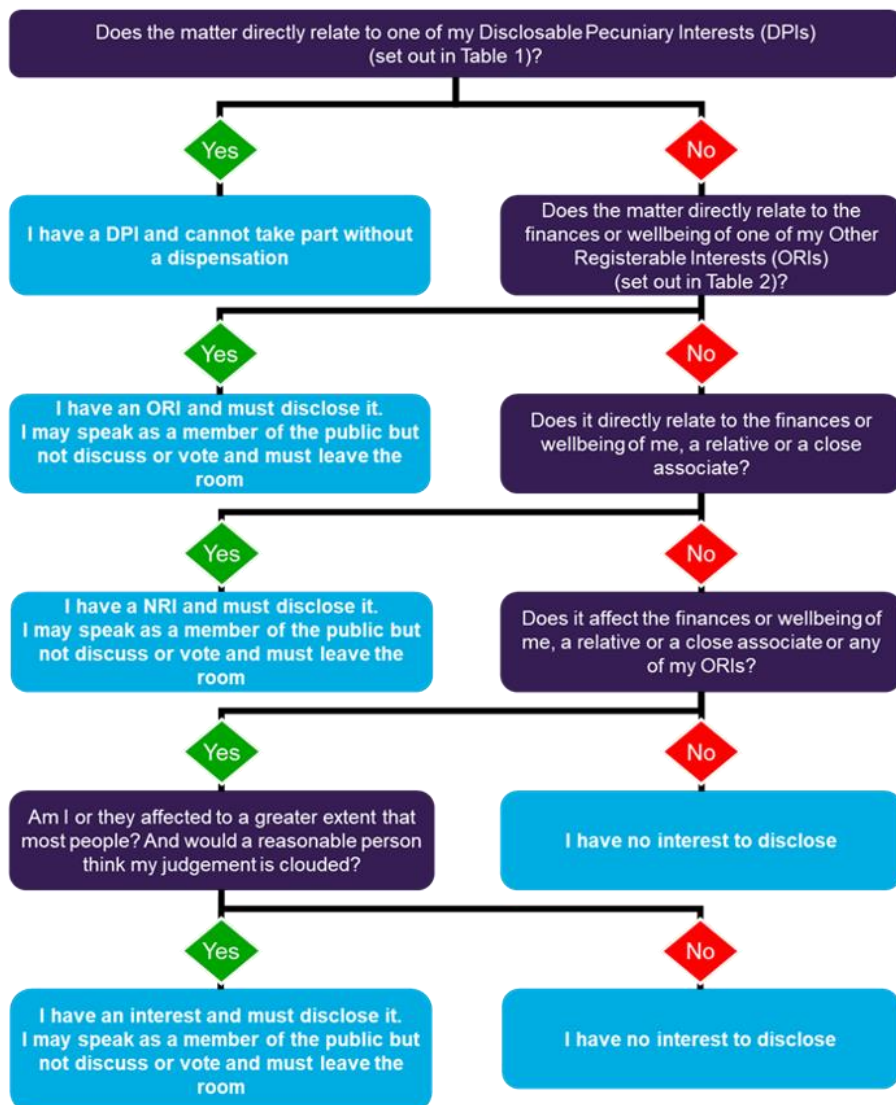


Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests



What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer
(susan.zeiss@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

AGENDA

Items to be considered while the meeting is open to the public

1. Apologies

To receive any apologies for absence from Councillors.

2. Substitute Members

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

3. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

4. Confirmation of Minutes

To confirm and sign as a correct record the minutes of the Licensing Committee meeting held on 16 September and the minutes of Licensing Sub Committee meetings held on 24 June 2021, 15 and 28 September, 13 and 28 October, 10 and 25 November, 8 and 22 December 2021 and 16 February 2022.

Note: The exempt versions of the minutes of the Sub Committees held on 24 June, 15 September, 10 and 25 November, 22 December 2021 and 16 February 2022 are also included as restricted documents. At each of these meetings the Sub Committee resolved that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for an item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

5. Public Issues

To receive any public questions, statements or petitions submitted in accordance with the Constitution, which is available to view at the following link:

<https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

The deadline for the submission of a public question is 4 clear working days before the meeting.

The deadline for the submission of a public statement is midday the working day before the meeting.

The deadline for the submission of a petition is 10 working days before the meeting.

6. Statement of Licensing Principles - Gambling Act Policy 2022 - 2025

105 - 182

The Council is required to publish a Statement of Licensing Principles under section 349 of the Gambling Act 2005 (the Act) every three years. The purpose of the Statement is to define how the Licensing Authority will exercise its responsibilities under the Act. This will be the first Statement of Licensing Principles to be published by BCP Council since its creation in April 2019. The draft policy was approved by Committee on 16th September 2021 and public consultation took place for 12 weeks between October and December 2021.

In total nine responses were received, and these were considered by a Members' workshop on 26th January 2022. The draft policy is now offered for final consideration by the Committee, taking into account the consultation responses received and any recommendations put forward from the Members' workshop.

7. Update on implementation of, and amendments to BCP Council Taxi and Private Hire Policies

183 - 286

On 1 June 2021 the new BCP Taxi and Private Hire Policies for Drivers, Vehicles and Operators were implemented.

These were the first new taxi and private hire policies for BCP Council which replaced the preceding three separate legacy authority arrangements. These policies introduced several new requirements on drivers and vehicle licence holders. This included:-

- All vehicles will be mechanically inspected every six months, once at a Council testing station and then at any garage for an MoT
- harmonised livery requirements for new hackney carriages
- an age limit for all new vehicles
- an upper age limit for existing licenced vehicles
- safeguarding training for all licence holders refreshed every three years
- requirement for drivers to sign up to the DBS update service to allow checks every six months

Since the introduction of these policies feedback and suggested improvements have been provided by the trade and licensing officers.

As a direct result of feedback this report seeks to amend the policies to clarify requirements, remove unnecessary sections and amend inconsistencies.

8. Review of the Hackney Carriage Maximum Fares and Charges Tariff	287 - 296
<p>A request has been received by Mr David Lane on behalf of BCP Taxi and Private Hire Association for a 7% increase in the current Hackney Carriage Tariff.</p> <p>The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to fix the rates or fares within the district for time as well as distance.</p> <p>Any change in the tariff will be reflected across all three current Hackney Carriage zones within BCP Council conurbation.</p>	
9. Forward Plan	297 - 298
<p>To consider the Committee's Forward Plan and update as required.</p>	

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.