

# LICENSING COMMITTEE

## 8 AUGUST 2012

*Present :-* Councillor Nick Cope (Chairman)  
Councillors Margaret Fairley-Crowe, Dave Harris,  
Pauline Hazell, Mike Hogg and Margaret Kimberley

### 8. Minutes

The minutes of the meetings held on 30 May and 6 June 2012 were confirmed as a correct record.

### 9. Consultation on Taxi Reform

The Committee considered a report by the Head of Environmental and Protective Services on the proposed response to the Government's consultation document on 'Reforming the Law on Taxi and Private Hire Services'. The existing laws governing the licensing of hackney carriage and private hire vehicles was outdated and fragmented with the main legislation on hackney carriages dating back to 1847. The Government was proposing to overhaul the licensing provisions and had issued a consultation document seeking responses on a number of provisional proposals and questions. The consultation document had been circulated to Committee members and the Council's suggested response was appended to the report.

The Council's responses had been formulated having regard to the importance of maintaining the safety of the travelling public within a licensing regime. The hackney carriage and private hire trade representatives had been made aware of the consultation document and advised to submit their own response as their views were likely to vary from those of the Council.

The Committee gave close consideration to the proposed response and asked that the response on question 45 be strengthened and an example be added to question 51 to underline the importance of the test of 'fit and proper' in relation to the licensing of drivers.

RESOLVED that the response to the consultation document as set out in Appendix B to the report, as amended, be approved for submission to the Law Commission as the Council's official response.

### 10. Update on the Changes to the Licensing Act 2003

The Licensing and Enforcement Manger gave an oral report updating the Committee

on recent changes to the Licensing Act 2003 and other legislation which had an impact on the licensing of premises in the Borough and on the Council's licensing policy. The changes highlighted were the Live Music Act, the Late Night Levy, Early Morning Restriction Orders, Temporary Event Notices, the suspension of premises licences for the non payment of fees, and the Council's position as a responsible authority. The changes would necessitate a change in the Council's licensing policy and a group of licensing officers from across Essex were meeting to draw up an Essex wide policy which would be brought before the Committee in due course

RESOLVED that-

(i) the oral report be noted.

(ii) the approach to create a new licensing policy using the Essex wide model be approved.