



**WOKINGHAM
BOROUGH COUNCIL**

**MEETING OF THE
LICENSING AND APPEALS COMMITTEE**

ON

TUESDAY 19 NOVEMBER 2013

AT

7:00PM

AGENDA

UNCLASSIFIED

**Civic Offices
Shute End
Wokingham
Berkshire**

**Andy Couldrick
Chief Executive**



WOKINGHAM BOROUGH COUNCIL

Our Vision

A great place to live, an even better place to do business

Our Priorities

Improve educational attainment and focus on every child achieving their potential

Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth

Ensure strong sustainable communities that are vibrant and supported by well designed development

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

The Underpinning Principles

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

Chief Executive's Department

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**WOKINGHAM
BOROUGH COUNCIL**

To: The Chairman and Members of the Licensing and Appeals Committee.

A Meeting of the **LICENSING AND APPEALS COMMITTEE** will be held at the Civic Offices, Shute End, Wokingham on **Tuesday 19 November 2013 at 7:00pm.**

A handwritten signature in black ink, appearing to read 'Andy Couldrick'.

Andy Couldrick
Chief Executive
11 November 2013

Members:- Barrie Patman (Chairman), Chris Bowring (Vice Chairman), Michael Firmager, Mike Gore, Mike Haines, Philip Houldsworth, Abdul Loyes, Ken Miall, Sam Rahmouni, Malcolm Richards, Chris Singleton, Sue Smith, Wayne Smith and Dee Tomlin.

ITEM NO.	WARD	SUBJECT	PAGE NO.
24.00	None Specific	MINUTES To confirm the Minutes of the Meeting of the Committee held on 17 September 2013.	1-3
25.00	None Specific	APOLOGIES To receive any apologies for absence..	-
26.00	None Specific	DECLARATIONS OF INTEREST To receive any declarations of interest.	-
27.00	None Specific	PUBLIC QUESTION TIME To answer any public questions.	-

The Council welcomes questions from members of the public about the work of this Committee.

Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact Democratic Services on the numbers listed below or go to www.wokingham.gov.uk/publicquestions

Explanatory leaflets are also available in the Civic Offices and Libraries.

28.00	None Specific	MEMBER QUESTION TIME To answer any member questions.	-
29.00	None Specific	HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING – MEDICALS To consider a report regarding the change to the driver medical examinations from the current system of using Occupational Health to that of drivers being able to use their own GP, a GP from the same practice or continue to use Occupational Health, following consultation received back from current drivers.	4-10
30.00	None Specific	HACKNEY CARRIAGE TARIFF REVIEW – UPDATE To receive a verbal update on the working party that was requested to be convened at the August 2013 meeting of the Committee consisting of a selection of Hackney Carriage drivers, members of the public, Licensing and Appeals Committee Members and Licensing Officers.	-
31.00	None Specific	HEARINGS UPDATE To receive an update on the outcome of Sub-Committees and Appeal Panels which have taken place since the last meeting of the Licensing and Appeals Committee.	11-12
32.00	None Specific	ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading	-

This is an agenda for a meeting of the Licensing and Appeals Committee.

If you need help in understanding this document or if you would like a copy of it in large print please contact one of our Team Support Officers.

CONTACT OFFICERS

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**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON 17 SEPTEMBER 2013 FROM 7:00PM TO 8:00PM**

Present:- Barrie Patman (Chairman), Chris Bowring (Vice Chairman), Michael Firmager, Mike Haines, Philip Houldsworth, Abdul Loyes, Ken Miall, Sam Rahmouni, Malcolm Richards, Chris Singleton, Wayne Smith and Dee Tomlin.

PART I

12. MINUTES

The Minutes of the meetings of the Committee held on 10 July and 13 August 2013 were confirmed as a correct record and signed by the Chairman.

13. APOLOGIES

Apologies for absence were submitted from Mike Gore and Sue Smith.

14. DECLARATIONS OF INTEREST

Councillors Mike Haines and Dee Tomlin declared personal interests in Item 22 – Hearings Update, as they had both recently been involved in a Home to School Transport Appeal Hearing.

15. PUBLIC QUESTION TIME

Mr Carpenter asked the Chairman of the Committee the following question:

“In regards to the aspect of drinking culture in Wokingham, how does Wokingham Borough Council implement national strategies?”

Answer

Officers are always reviewing material from Government and using their judgement as to how best to implement changes which can benefit the local residents and the economy. Whenever national policy changes significantly officers report to the Committee and decisions are taken where appropriate. For instance policy may change and be realigned to address new or amended legislation.

When considering drinking culture I would like to summarise the position of the council, in terms of alcohol consumption, to highlight how the Licensing authority and the Committee stay in touch with local issues.

The general consensus is that we do not have a 'problem' in Wokingham and our close working relationship with Thames Valley Police does enable us to deal swiftly with any incidents that get reported. That does not mean that we have no incidents, but given the overall scale of the local late night economy we have a good level of control. Officers are kept informed about undesirable activity through both the police and the trade itself. We have regular contact with the trade through 'Pubwatch', a forum to discuss relevant issues affecting the licensees and the licensing authority. We also receive intelligence reports from local police which we can act on to review licences and ensure that they are fit for purpose. We may receive a couple of notifications per week but none have resulted in our licensing authority taking a formal review.

The general direction of government policy has been to support 'light touch' regulation and allow local people to have a say over local issues. The licensing authority maintain an

open and transparent system for residents to make representation should they be concerned and we work closely with colleagues in Public Health and Trading Standards to look at innovative ways to reduce the burden of ill health through excessive alcohol consumption.'

Supplementary Question

Mr Carpenter asked a supplementary question as follows:

"Does the Chairman feel that Legislation laid down by the Government could be clearer and more concise?"

Answer

It is difficult for Members to judge. We work to the rules. Some Government legislation has its quirks and some makes its way through Parliament at speed. Lately, we have been given advance warning of changes made to enable us to react quickly. We work to the four main Licensing objectives when making decisions.

16. MEMBER QUESTION TIME

There were no Member questions.

17. LICENSING ACT 2003 – POLICY REVIEW

The Committee received a report, as set out on Agenda pages 5 to 27, which set out the consultation undertaken and introduced a draft policy for recommendation to Council for adoption.

RESOLVED: That the draft policy attached to the report be recommended to Council for adoption.

18. TOURISM AND EMPLOYMENT UPDATE

The Committee received a report, as set out on Agenda pages 28 and 29, which is required by the Guidance issued under the Licensing Act 2003 and its need which was acknowledged in the adopted Licensing Policy.

RESOLVED: That the report be noted.

19. TAXI ROOF SIGNS

The Committee received a report, as set out on Agenda pages 30 to 56, which asked Members to consider the consultation results regarding the introduction of a standardised roof top sign for all Hackney Carriage vehicles to enhance Public Safety.

Upon being put to the vote, it was:

RESOLVED: That a standard taxi roof sign for Hackney Carriage vehicles, to include the Council's logo, be introduced.

20. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING - MEDICALS

The Committee received a report, as set out on Agenda pages 57 to 73, which asked Members to consider changing the driver medical examination from the Royal Berkshire Occupational Health Service to the drivers' own General Practitioners (GPs).

Members were keen to ensure that any medical certificate was signed by the driver's actual GP and suggested that the form be amended to include a box which said "I am XXXXXX's GP that the GP would have to sign".

Upon being put to the vote, it was unanimously:

RESOLVED: That:

- 1) it be agreed, in principle, that officers be authorised to consult with the trade and bring the matter back to the December Licensing and Appeals Committee meeting for a final decision; and
- 2) The medical form be amended to include a box for the GP to sign and declare that he/she is the driver's actual GP.

21. HEARINGS UPDATE

Councillors Mike Haines and Dee Tomlin declared personal interests in this item as referred to in Minute 14 above. Both remained in the meeting during the discussion.

The Committee received an update, as set out on Agenda pages 74 and 75, on the outcome of Sub-Committees and Appeal Panels which had taken place since the last meeting of the Licensing and Appeals Committee.

RESOLVED: That the report be noted.

These are the Minutes of a meeting of the Licensing and Appeals Committee.

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