

## **A MEETING OF THE LICENSING BOARD**

**WAS HELD ON 20 JULY 2010**

The Mayor (Councillor Allen) (ex-officio), Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio), Councillors Beavis (P), Bradley (P), Carter CK (P), Carter CR (P), Chegwyn (P), Mrs Cully, Foster-Reed (P), Jacobs (P), Murphy and Scard (P).

It was reported that in accordance with Standing Orders, Councillor Kimber had been nominated to replace Councillor Murphy for this meeting.

### **17. APOLOGIES**

Apologies for inability to attend the meeting were submitted on behalf of The Mayor and Councillor Murphy.

### **18. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **19. MINUTES**

RESOLVED: That the Minutes of the meeting of the Licensing Board held on 8 June 2010 be approved and signed by the Chairman as a true and correct record.

### **20. DEPUTATIONS**

There were no deputations.

### **21. PUBLIC QUESTIONS**

There were no public questions.

## **PART II**

### **22. ADOPTION OF REVISED SCHEDULE 3 LOCAL GOVERNMENT (MISCELLANEOUS) PROVISIONS ACT 1982 AND COUNCIL POLICY TO INCORPORATE LICENSING OF SEXUAL ENTERTAINMENT VENUES.**

Consideration was given to a joint report of the Environmental Services Manager recommending that the Council adopts the revised Schedule 3 of the Local Government (Miscellaneous) Provisions Act 1982 and amends its existing policy on Sex Establishments to incorporate Sexual Entertainment Venues as Sex Establishments (attached in the minute book as appendix a)

Members were advised of an amendment to paragraph 4.3 so that it would

now read

As part of the process of re-adoption of Schedule 3 it is suggested that the Council should continue with its current policy of permitting no more than 2 sex establishments to operate in the Borough at any one time.

In answer to a Member's question, the Board were advised that the definition of criminal offences contained in appendix a of the report would be those related to the sex industry and not speeding offences.

RESOLVED: That:

- i) the Council adopts the revised Schedule 3 of the Local Government (Miscellaneous) Provisions Act 1982 and amends its existing policy on Sex Establishments to incorporate Sexual Entertainment Venues as Sex Establishments; and
- ii) authorisation be sought from the Policy and Organisation Board to proceed with the above resolution.

## **23 THE GRANT OF A HACKNEY CARRIAGE DRIVER'S LICENCE TO A NON-EU CITIZEN, NOT ENTITLED TO WORK IN THE UK**

Consideration was given to a report of the Environmental Services Manager on the circumstances surrounding the grant of a hackney carriage driver's licence to an individual subsequently reported by the Border Agency as not being entitled to work in the United Kingdom.

Members queried whether any other Hackney Carriage or Private Hire Vehicle licence holders had subsequently been found to be not eligible to work in the United Kingdom.

The Board were advised that every driver's details had been passed to the UK Border Agency and as a result, one driver was no longer contactable and the visa of another was currently being investigated.

Members were advised any new non-EU applications would be referred to the UK Border Agency. In addition, all new applicants would be required to declare that they were eligible to work in the United Kingdom on their application forms.

RESOLVED: That the report of the Environmental Services Manager be noted.

## **24. EXCLUSION OF THE PUBLIC**

RESOLVED: That in relation to the following items the public be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items there would be disclosure to them of exempt

information within Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out.

**25. APPLICATION FOR THE ISSUE OF A HACKNEY CARRIAGE VEHICLE DRIVER'S LICENCE**

Consideration was given to an exempt report of the Environmental Services Manager which advised the Board of an application for the issue of a Private Hire Vehicle Driver's Licence.

The report was exempt from publication as the public interest in maintaining the exemption outweighed the public interest in disclosing the information by reason that it contained personal information that was not considered appropriate to be released to the public.

RESOLVED: That the application for the issue of a Hackney Carriage Driver's Licence be granted.

**26. APPLICATION FOR THE ISSUE OF A PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

Consideration was given to an exempt report of the Environmental Services Manager which advised the Board of an application for the issue of a Private Hire Driver's Licence.

The report was exempt from publication as the public interest in maintaining the exemption outweighed the public interest in disclosing the information by reason that it contained personal information that was not considered appropriate to be released to the public.

RESOLVED: That the application for the issue of a Private Hire Vehicle Driver's Licence be granted.

**27 APPLICATION FOR THE ISSUE OF A PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

Consideration was given to an exempt report of the Environmental Services Manager which advised the Board of an application for the issue of a Private Hire Driver's Licence.

The report was exempt from publication as the public interest in maintaining the exemption outweighed the public interest in disclosing the information by reason that it contained personal information that was not considered appropriate to be released to the public.

RESOLVED: That the application for the issue of a Private Hire Vehicle Driver's Licence be refused.

**28 APPLICATION FOR THE ISSUE OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

Consideration was given to an exempt report of the Environmental Services Manager which advised the Board of an application for the issue of a Private Hire and Hackney Carriage Driver's Licence.

The report was exempt from publication as the public interest in maintaining the exemption outweighed the public interest in disclosing the information by reason that it contained personal information that was not considered appropriate to be released to the public.

**RESOLVED:** That the application for the issue of a Hackney Carriage and Private Hire Vehicle Driver's Licence be refused.

The meeting ended at 7.21p.m.

CHAIRMAN