

Licensing Board, 16 May 2013

**LICENSING BOARD  
16 May 2013**

**PRESENT:** Councillor Andrew Morgan - Chairman, Councillor David Kelsey - Vice-Chairman; Councillors Susan Phillips, Theo Stratton, John Trickett and Christopher Wakefield.

Councillor Roger West also attended.

The meeting commenced at 09.53 am.

**SECTION I - BUSINESS RECOMMENDED TO THE COUNCIL**

No items.

**SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS**

**75. APOLOGIES**

Apologies for absence were received from Councillors John Adams, Stephen Chappell and Anne Rey.

**76. DECLARATIONS OF INTEREST**

There were no declarations by members of any disclosable pecuniary interests.

**77. MINUTES**

The minutes of the meeting held on 7 May 2013 were confirmed.

**78. DEPUTATIONS**

The Democratic Services Officer reported that, in line with Procedure Rule 37, no deputation requests had been received. However, Mr. J. Tye had been invited to the meeting in respect of clauses 79 and 80, having previously made a deputation request on the subject matter contained within clause 79, and having been a member of the working group in respect of clause 80. Ms. A. Whant accompanied Mr. J. Tye.

Licensing Board, 16 May 2013

## 79. REVIEW OF DRIVER QUALIFICATION POLICY

The Board considered a report by the Licensing Officer, at 'A', which outlined a number of options for consideration with regard to the future arrangements for initial skills for life assessments, as part of the application process for a public carriage driver's licence.

Previous consideration had been given to the application process by the Board on 26 March 2013. The Board requested further consultation, alongside alternative options for consideration. Members acknowledged the options for consideration outlined at Appendix 1.

The Board supported the inclusion of an English literacy element to the application process and further discussed the options which fulfilled this criterion.

Mr. J. Tye and Ms. A. Whant spoke on their preferred option, B. Furthermore, concerns were raised with regard to self certification and online courses, given the risk of misuse. The trade supported the Board's view that skills in English language were essential.

Councillor Roger West spoke on the importance of the ability to communicate, but that this did not necessarily mean the spoken English language. Furthermore, concerns were raised with regard to an over bureaucratic process.

### DECISION MADE:

That, subject to the agreed amendments below, option B, be chosen for the future arrangements for the application process for a public carriage driver's licence, as follows:-

#### Part A

The applicant produces proof of driving entitlement and right to work, and either an acceptable vocational qualification of suitable English literacy/numeracy standard, as defined in government guidelines. If acceptable evidence is produced, the applicant progresses to part B.

#### Part B

Criminal records check  
Medical examination  
Local knowledge test

On completion of part B, a licence is granted for three years if the applicant has an acceptable qualification, as defined in government guidelines, or one year during which the qualification must be achieved.

Licensing Board, 16 May 2013

**80. TO CONSIDER THE LAW COMMISSION INTERIM STATEMENT ON  
'REFORMING THE LAW OF TAXI AND PRIVATE HIRE SERVICES'**

The Board considered a report by the Licensing Officer, at 'B', which provided an update on the reform of taxi and private hire services by the law commission. Following the receipt of the original consultation document, the Licensing Board provided a comprehensive response in September 2012. The interim statement issued by the law commission in April 2013 provided an early indication of the likely changes to legislation.

Mr. J. Tye highlighted that the finer details of the legislation would be confirmed later in 2013, and it was too early to assess the impact of any likely changes, particularly in light of the government's response to the law commission interim statement.

Members were pleased to note that a number of the original proposed changes had been reversed in line with the comments made by the Board in September 2012. Despite this, the Board highlighted the importance of local standards and remained disappointed by the reference to national standards within the interim statement.

**DECISION MADE:**

That the interim statement by the law commission be noted, and that the Working Group and Licensing Officer be thanked for their work in providing a comprehensive response to the original consultation.

**81. COUNCILLOR ROGER WEST - PUBLIC CARRIAGE STANDARDS**

With the prior agreement of the Chairman, Councillor Roger West raised a number of issues under any other business, with particular regard to public carriage standards in Bournemouth.

The identification of taxi ranks was considered to need improvement, and whilst the Chairman reported that road markings had been reviewed in 2012, a further focus on the Winton area would be conducted following the concerns raised by Councillor West. In connection with this, the Vice-Chairman reported that these concerns would be fed into an Overview and Scrutiny Task and Finish Group which had been tasked with the review of signage across the Borough.

Licensing Board, 16 May 2013

**82. EXCLUSION OF THE PRESS AND PUBLIC**

**DECISION MADE:**

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves 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.

**83. PUBLIC CARRIAGE DRIVER'S LICENCE APPLICATIONS**

The Chairman reported that letters had been received from a number of applicants, whom had previously driven in the Borough, before their licenses lapsed or were not renewed.

The named drivers had requested that specified sections of the application process should not apply, given their previous experience.

The Board reinforced the view that no exceptions should be made with regard to new applicants for a public carriage driver's licence, to ensure a fair and transparent process was applied.

--THE MEETING CONTINUED IN PUBLIC SESSION--



**84. NIGHT TIME ECONOMY WORKSHOP - UPDATE**

The Chairman provided the Board with an update following a recent meeting of the night time economy strategy group, which explored issues such as the vision for Bournemouth's night time economy, early morning restriction orders, Horseshoe Common and the moving of taxi ranks, and crowd dispersal within the town with representatives from the Council, Dorset Police and the licensed trade.

The Board wished to record that no view was currently held with regard to any proposals for the introduction of either the late night levy or early morning restriction orders. Furthermore, the Chairman confirmed that it was for Dorset Police or the general public to step forward with relevant evidence and ask that these options be considered, before any proposals were formally consulted upon.

The meeting closed at 11.18 am.

**Licensing Board, 16 May 2013**

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