

LICENSING & REGULATION COMMITTEE

Wednesday, 8 December 2021

Attendance:

Councillors

Bentote (Chairperson)

Cunningham
Green
Kurn
Laming

McLean
Read
Westwood
Williams

Others in attendance who did not address the meeting:

Councillor Cutler (Cabinet Member for Finance and Service Quality)

[Full audio and video recording](#)

1. **CHAIRPERSON'S ANNOUNCEMENTS**

The Chairperson paid tribute to Councillor Lynda Murphy following her recent passing away and the committee remained silent for one minute in honour of her memory.

2. **DISCLOSURES OF INTERESTS**

There were no declarations of interest.

3. **APPOINTMENT OF VICE-CHAIRPERSON FOR THE 2021/22 MUNICIPAL YEAR**

RESOLVED:

That Cllr Green be appointed Vice Chairperson of the Committee for the 2021/22 Municipal Year.

4. **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the previous meeting of the committee held 23 February 2021 be approved and adopted.

5. **PUBLIC PARTICIPATION**

No members of the public had registered to speak.

6. **REVIEW OF STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005**
(LR549)

The Licensing Manager introduced the report and advised that the Statement of Principles, with proposed amendments, was recommended to full Council for adoption.

Referring to the draft Statement at Appendix 1 to the report, the Licensing Manager advised that on page 9, paragraph 3.7, the Council's contact details had been inadvertently deleted and that this would be corrected in the final version of the Statement following its adoption.

It was also clarified that within the draft Statement's glossary on page 39, the definition 'Child' had been removed and replaced by 'Young Person'. This rectified existing inconsistencies within the Gambling Act 2005 and was also a change made within the Gambling Commission's own glossary.

The Licensing Manager also explained that throughout the document, 'Winchester City Council' was used in the first instance and each reference thereafter was replaced by 'the council' and changes had been made to reflect this.

RESOLVED:

1. That the changes made to the draft Statement of Principles in response to consultation responses received are noted.

RECOMMENDED:

2. **That subject to the correction of minor typographical or formatting issues identified by the Committee, the draft Statement of Principles as set out at Appendix 1 to Report LR549 be adopted.**

7. **REVIEW OF PAVEMENT LICENSING POLICY**
(LR550)

The Licensing Manager introduced the report and responded to questions and explained measures that would be undertaken to enforce breaches to existing permits should these occur.

RESOLVED:

That the minor amendments to the Council's Pavement Licensing Policy, as set at Appendix 1 to the Report, be agreed, to ensure that it is consistent with updated legislation.

8. **PROPOSED FORTHCOMING CHANGES TO TAXI POLICY - VERBAL UPDATE**

The Licensing Manager provided a briefing with regard to a review of Statement of Licensing Policy with respect to Hackney Carriage and Private Hire Drivers, Vehicles and Private Hire Operators. A copy of the briefing is available on the [council's website](#).

The Licensing Manager responded to a number of questions as summarised below.

- The Policy was to mandate drivers to sign up to the DBS update service which would cost £13 per year, which was of less expense to drivers than the existing requirement for a DBS check every three years. Existing policy also stipulated that should a driver offend during the licence period, they must disclose this to the licensing authority.
- All licensed drivers were currently required to wear, or clearly display a licence badge, which included their photograph. As many vehicles were shared by multiple licensed drivers, there could be data protection issues of displaying each of their photographs as part of the requirement for signage for the particular licensed vehicle, however this could be investigated.
- The accepting of 'assistance dogs' in licensed vehicles was mandated as part of the Equality Act 2010. In addition to this, there was reference in the Policy and conditions requiring carriage of assistance dogs and wheelchairs and penalty points would be given for refusing to do so, along with awareness training.
- With regards to drivers and vehicles with licences issued by other authorities operating in the Winchester district, cross-border hiring was permitted under existing legislation. It was agreed that on behalf of the Committee, the Chairperson write a letter to lobby local MPs to improve existing legislation regarding this matter so to protect hired vehicle users.
- A 'certificate of good character' was to be submitted by a licensed driver to the council having returned to the UK after a period of 6 months or

longer. This was essentially an equivalent of a DBS from another country from where the driver had returned from.

RESOLVED:

That the update be noted.

The meeting commenced at 6.30 pm and concluded at 7.05 pm

Chairperson