



## LICENSING AND ENFORCEMENT COMMITTEE

**MEETING** : Tuesday, 9th September 2014

**PRESENT** : Cllrs. Randle (Chair), Patel (Vice-Chair), Llewellyn, Tracey, Lugg, C. Witts, Hanman, Ravenhill, Brown, Gilson, Mozol and Chatterton

### **Officers in Attendance**

Gill Ragon, Head of Public Protection

Steve Isaac, Solicitor

Lisa Jones, Food, Licensing and Markets Manager

Darren Mountford, Senior Licensing & Markets Officer

Tony Wisdom, Democratic Services Officer

**APOLOGIES** : Cllr Noakes

### **12. DECLARATIONS OF INTEREST**

No declarations were made on this occasion.

### **13. MINUTES**

The minutes of the meeting held on 15 July 2014 were confirmed and signed by the Chair as a correct record.

### **14. PUBLIC QUESTION TIME**

There were no questions from members of the public.

### **15. PETITIONS AND DEPUTATIONS**

There were no petitions or deputations.

### **16. HACKNEY CARRIAGE & PRIVATE HIRE DRIVERS' ASSESSMENTS**

The Senior Licensing and Markets Officer presented the report which sought Committee approval to undertake a six week consultation on the proposal to replace the County Council Road Safety Unit assessment with the Basic Hackney Carriage and Private Hire driver assessment from the Driver and Vehicle Standards Agency (DVSA).

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He advised Members that the DVSA assessment was a nationally recognised qualification delivered by a Government Agency. This meant that the qualification would be transferable between different local authorities and the scheme would give drivers flexibility.

He noted that the test was designed for the professional experienced driver and would ensure high standards of safe driving and customer awareness. Failure rates in areas where the DVSA test are applied were comparatively high due to complacency and errors made by drivers who had been driving for a number of years since passing their DVLA driving test.

Councillor Tracey welcomed the introduction of the DVSA assessment as the safety of the travelling public was the Council's primary concern. She noted that voluntary sector workers wishing to drive minibuses were required to undertake a County Council driving test.

The Chair noted that the design of wheelchairs was changing continuously and she asked if update or refresher sessions would be made available. She was advised that the consultation would seek views on 3, 6 or 9 year life of the assessment.

The Vice Chair welcomed the introduction of the DVSA assessment which he believed would improve standards of safety and the quality of drivers. He expressed his surprise that drivers of wheelchair accessible vehicles were not professionally trained.

Councillor Llewellyn was advised that consultation would include all drivers and operators, the police and other Gloucestershire authorities as well as being available to the public on the Council's website.

Members requested that the formal consultation be extended to include the Council's e-panel, disability groups, Shopmobility and Dial-a-ride.

The Head of Public Protection undertook to obtain a list of appropriate organisations to include in the consultation.

**RESOLVED that a six week consultation be undertaken on the proposal to replace the County Council Road Safety Unit assessment with the Basic Hackney Carriage and Private Hire driver assessment from the Driver and Vehicle Standards Agency. This would also include the wheelchair assessment for drivers of wheelchair accessible vehicles.**

**17. DRAFT ANIMAL WELFARE LICENSING POLICY**

The Senior Licensing and Markets Officer introduced the report which sought committee approval for the adoption of an Animal Welfare Licensing Policy, based on the draft attached to the report, to be applied by authorised Licensing and Enforcement Officers when determining applications for licences associated with animals including pet shops, animal boarding establishments, dangerous wild animals and others.

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He noted that the Council had, for many years, licensed activities under a range of legislation detailed in paragraph 3.1 of the report but had not adopted a formal animal welfare licensing policy. There was no statutory requirement to implement an animal welfare licensing policy but it was seen as good practice to have such a policy in place.

Councillor Lugg noted that the report identified no licensed riding establishments within the City and referred to the City Farm. She was advised that the City Farm was seeking planning permission and a decision whether a licence would be required for the site would be made following the planning application.

Councillor Lugg was also advised that the licensed zoo in the City was the Barn Owl Centre.

Councillor Witts noted that there were currently no licensed dog breeding establishments within the City. He was advised that the legislation controlled establishments producing five or more litters in a calendar year.

Councillor Tracey expressed concern regarding home breeding for profit when bitches have six or seven litters in quick succession and were then disposed of, sometimes by inappropriate means.

The Senior Licensing and Markets Officer advised that the Royal Society for the Prevention of Cruelty to Animals would investigate such cases. He advised that the Royal Society inspectors had legal powers of entry and advised the Council when such powers were used.

The Head of Public Protection advised that the Council had powers to control domestic animal breeding businesses but had no powers regarding breeding in residential premises. She noted that work was being progressed with regard to an animal shelter.

She undertook to investigate, with the relevant Council services, reports of the use of fish as prizes at Gloucester Fair.

Councillor Brown believed the draft policy to be excellent but he questioned that the report contained no financial implications.

The Head of Public Protection explained that while the policy contained no new areas of activity it was based on model conditions and was intended to formalise what the Council already did under existing animal licensing legislation to make procedures more transparent.

The Chair and Vice Chair welcomed the draft policy which they believed to be clear and detailed explanation of existing processes and contained within a single document.

**RESOLVED that an Animal Welfare Licensing Policy based on the draft animal welfare licensing policy be adopted to take effect from 1 October 2014.**

**18. MEMBERS' UPDATE**

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The Food, Licensing and Markets Manager presented the report which provided details of the following:-

- Licensing activities in the last quarter
- New licensing applications
- Enforcement work
- Legislative updates
- Forward work plan

Councillor Tracey welcomed the use of Clarence Street as a temporary taxi rank late at night. She noted that the Taxi and Private Hire Ambassador Scheme would be in place in time for the Rugby World Cup in 2015 and suggested that drivers be encouraged to wear rugby shirts or branded shirts during that period.

The Chair noted that the suggestion could be raised at the next regular meeting with the Trade.

The Vice Chair asked whether the multi-agency enforcement operations detailed in paragraph 4.2 of the report would be extended to other areas and he expressed concern at the high levels of non-compliance.

He was advised that this was the first time that a multi-agency approach had been adopted although joint working with other agencies such as the police and the Border Control Agency had been undertaken in the past. She was confident that the approach would be repeated.

When considering the forward work plan, Members indicated a preference for Sub-Committee meetings to be held in the evening.

**RESOLVED that the report be noted.**

**19. DATE OF NEXT MEETING**

Tuesday, 9 December 2014 at 6.30 pm.

**Time of commencement: 18:30 hours**

**Time of conclusion: 19:30 hours**

**Chair**